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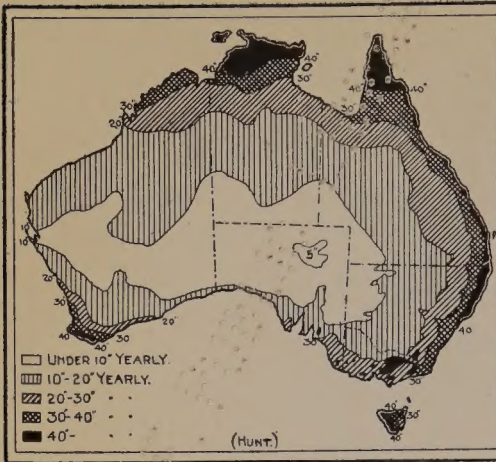




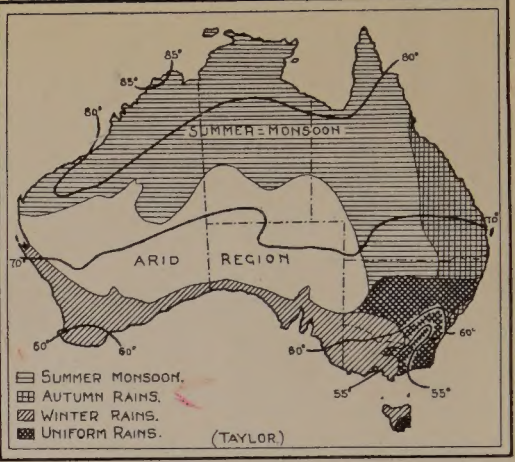




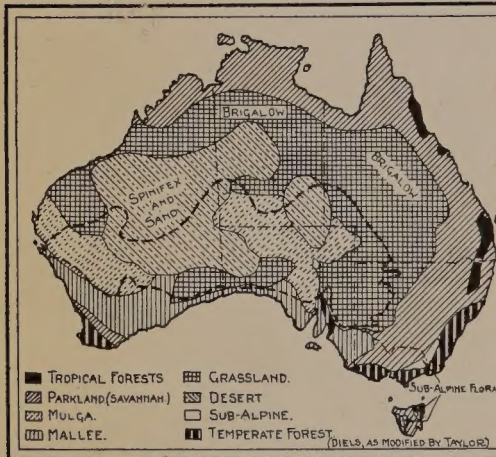




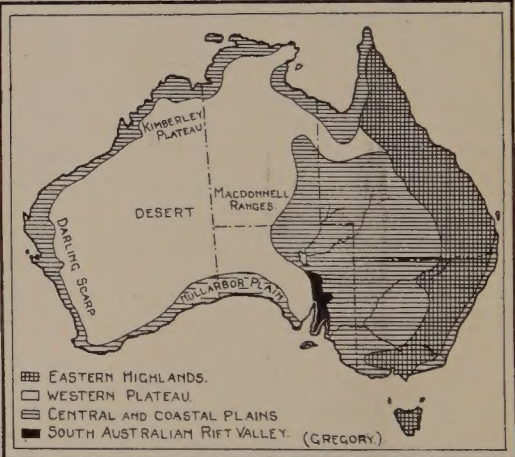
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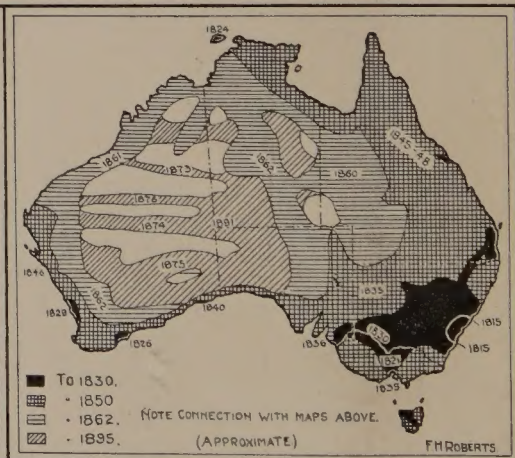
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# — AUSTRALIA. —



# HISTORY OF AUSTRALIAN LAND SETTLEMENT

(1788 - 1920)

BY

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With an introduction by  
PROFESSOR ERNEST SCOTT

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*To my Father and Mother*





## INTRODUCTION

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Some years ago, making some enquiries about a phase of the history of Australian land policy, I was advised to consult Senator E. D. Millen (who died in 1924). He was said to have a more intimate knowledge of the intricacies of land legislation and regulations than any other man. I took my questions to him, and he was interested in them, but puzzled. "It is true," he said, "that it was once my business to know these complicated things, but I am afraid I have forgotten about them. The whole subject is a big tangle, and I doubt whether anybody knows enough about it to be certain that he knows anything."

In this book an endeavour is made to elucidate the subject historically. It is the fundamental subject in Australian history. There is nothing quite like it in the history of any other country. Less than a century and a half ago, even the outlines of this continent were not completely represented on maps of the world. A little was known about the coastal fringe on the west, the north and the east, but the south had not been discovered. Only about a century ago did the nature of the interior become known. The overland journey of exploration of Messrs. Hume and Hovell to Port Phillip took place in 1824; Sturt did not discover the Darling till 1828, the Murray was not explored till 1830, Mitchell did not traverse western Victoria till 1836. Within a period of half a century, a country comprising 2,974,581 square miles, the soil of which had never in any part been turned by a spade till 1788, was revealed as containing vast fertile areas, with a climate in which the white race could thrive.

The problem of providing for the occupation of these lands, in such a way as to enable the most profitable use to be made of them while the population was sparse, without prejudicing the future interests of a population that might be expected some day to be large, was with startling suddenness presented to those who were responsible for the government of Australia.

Within that half century a bewildering variety of plans came under review. At first, small grants were made only to

convicts and officers. As long as settlement was confined to the small area between the Blue Mountains and the sea, only moderate quantities of land could be allotted to individuals. But when the interior was opened up the problem became difficult. It is the purpose of this book to elucidate the difficulties and to explain the methods adopted for solving them.

An introduction must not attempt to traverse ground which belongs to the author, but one point may be made as to which there is little sound understanding in Australia.

No class of men who were concerned with Australian beginnings are held in greater honour than the explorers. A nimbus of romance has spread around the memories of such men as Blaxland, Lawson and Wentworth, who first crossed the Blue Mountains; Hume and Hovell, Oxley, Sturt, Macdougall Stuart, McMillan, Mitchell, Leichhardt, Kennedy and the rest of the company of those who went out into the unknown to "blaze the track" for others. Romance is good, and we are all ready to submit as victims to its charm. Poems are written about the explorers, and monuments are erected to them; and when the poems are poetical and the monuments such as should not make a sculptor shudder, the inspiration is happy.

But the real reason for the explorations is more certainly to be found in this book, which Mr. Roberts' diligent and well-directed labour has brought forth, than in a whole shelf full of works on "the romance of Australia." Why did Gregory Blaxland lead that hazardous expedition across the Blue Mountains in 1813? Not for the love of adventure, or to provide subjects for coloured pictures of hairy men scrambling over impossible purple boulders, or for the sheer romance of the thing. No; Blaxland was a cattle man, who wanted more room for his herds than he could get the Government to grant to him on the eastern side of the mountains, and he made this determined effort to force a way through the mountain barrier in the hope of finding pastures on the western side.

The whole of the inland journeys of exploration in Australian history are connected with the practical problem of land settlement, except those which have had also a scientific interest, such as was the case to some extent with Leichhardt's, and to a lesser degree with Mitchell's and Alan Cunningham's. Perhaps this view may seem to some to rub the bloom of romance

off many a fine tale; but veracity is preferable to fiction. Moreover, Blaxland's search for pasture for his cattle, and John Batman's adventure in quest of fresh grazing grounds for sheep, ought not to seem any the less romantic when we understand what the real motives were, than they are when we attribute an entirely fairy-taleish set of reasons for them.

Rightly read, the story told in this book is full of romance, though the author has not set out to amuse his readers so much as to clear up for them an extremely difficult, but fundamentally important, subject. Unless we understand what the problems of Australian land settlement were, and what attempts were made to cope with them, we cannot get to the core of Australian history.

Anyone who merely turns over the pages of the book, and glances at the masses of references, will appreciate the labour that has been requisite to hammer out the story into a plain history of what has lain at the back of the entire course of public policy in this country. The work has never been adequately done before. Nobody can ever claim finality for historical work, nor should desire to do so; but that this complicated task has been assaulted with energy, determination, and a clear-minded ambition to achieve a piece of investigation that required to be done, and could only be satisfactorily accomplished with such qualities of competence, will be realised by those who read it and refer to it.

ERNEST SCOTT.

The University,  
Melbourne.  
May 21, 1924.





## AUTHOR'S PREFACE

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Certain features of this book need explanation, the more so because the final product is far different from my original plans. As far back as memory goes, nothing has ever gripped me more than the romance of Australia's squatters—the conquest of an unknown land by a body of adventurers, who spread over hundreds of miles, and who occupied principalities in the face of the Government, the natives, and all manner of natural difficulties. I set out with the intention of explaining that period and showing how it really sums up Australia's story. Chiefly I desired to recapture the atmosphere of the time—the struggle and the glamor, the *camaraderie* and the fights against uneven odds, the romance of overlanding and mustering, the dirt and droughts and disease, the cattle-duffing and the boundary fights, the heroism of unrecorded deeds—in short, to show the nature of the squatting occupation which was more complete and more spontaneous than in any other country.

But this attempt to merge the spirit of Boldrewood's "*Squatter's Dream*" into an historical account soon grew into a larger effort. When the nature of the period became clear, I was struck by the uniqueness of the problem. That led to an attempt to sum up the solutions of the first governors, and the course of the struggle between selectors and squatters. In this respect, I developed a sincere admiration for Governors Bourke and Gipps for their strength and originality in dealing with a problem which rulers in England held (with Wakefield) could be solved as easily as that of the gypsies on the Welsh hills.

This took in practically everything in the central portion of Australia's history, and the final plan of the book soon developed. As I tapped source after source of new manuscript material (especially on such matters as the Northern Territory and the great Companies), I conceived the idea of surveying the whole field of land settlement. I desired, not to make a mere list of regulations, but to sum up within one volume the effect of each from an evolutionary point of view. In so doing, I had perforce to sacrifice the more obvious interest of my first

topic to the utility and completeness of the second. Not that the tale is the less romantic; it is merely that the romance of irrigation and closer settlement and the poison lands is less perceptible than that of the huge runs. And, moreover, the enlargement of aim necessitated the withdrawal of any matter, however interesting, which would have spoiled the symmetry of the whole.

It was clearly impossible to be exhaustive, so I confined my efforts to explaining trends and providing a basis from which research on particular points might be made. The book aims at giving the proper perspective to any particular phase or policy; an intensive study of scores of points must be made to fill in this general analysis.

From the first, the trouble lay in the lack of facilities. The squatters were practical men rather than writers, while the framers of farming laws often deemed them too unimportant to record their motives for posterity. And, even if the material existed, it was not collected, for there are no real national archives. One manuscript might be in a small Tasmanian town, its fellow in the records of an old family, or in the office of a Commissioner of Police, or in some equally irrelevant place.

For these two reasons, then—the facts that my primary *motif* was to afford a starting point for more specialised research, and that Australia so obviously lacked historical facilities—the bibliography and the footnotes are so detailed. In a country where much spadework had been done, or where the raw material of history was easily available through indices and guides and archives, this would not have been so necessary. At any rate, from the experience of myself and others, this will be the useful feature to later students.

Nothing was more astonishing than the discovery that the historical material in Australia, although scattered and difficult of access, was so complete. From the first, I derived much from two sources which have not been hitherto sufficiently exploited—the foreign publications on Australia, and, in particular, the manuscripts. Since these manuscripts are unavailable in such institutions as the London Record Office, it follows that the history of the squatting period can be written only in Australia. This point is further stressed in the Bibliography below.



My most obvious obligation is to the officials of the various Australian libraries, especially to those of the Melbourne Public Library and the Mitchell Library, Sydney. Another is to Mr. S. Addison, Assistant Registrar of the University, who smoothed the business details and devoted much time to the preparation of the book as a book.

But above all other debts is that to my brother, Mr. F. H. Roberts, of the Victorian Electricity Commission. The maps which he drew afford one of the justifications for this book, and they certainly sum up and explain the story as no narrative can. The labor in some ninety distinct maps and graphs was immense, particularly since many had to be redrawn three or four times to incorporate the desired information. As with the text, too, the maps grew as time went on, each becoming more elaborate and thus necessitating additions to its predecessors. To the skill and patience of my brother, therefore, I owe much.

Save in the few cases where otherwise acknowledged, the material in the maps was collected and compiled by myself, and I must accept the responsibility for them, especially for those on the squatting period, in which the evidence was of a tentative nature.

Finally, this book, as does all my work, owes its inspiration to Professor Ernest Scott, who did much to make it possible, and to whom my debt is far greater than he will realise.

STEPHEN H. ROBERTS.

University,  
Melbourne.

#### ERRATA.

Page 40. Note 7, read

F. Tottenkamp "*Auswanderung nach Van Diemensland*,"  
p. 15.—"*Die grösste Schwierigkeit, die der neue  
Ansiedler bei Umbrechung seines Landes überwinden  
muss, ist die Ausrodung der Bäume.*"

Page 135. Note 19,

For "Greeat," read "Great."

Page 259. Note 27,

For "*zweiful*," read "*Zweifel*."

For "*veil*," read "*viel*."

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PART I.  
THE PERIOD OF EXPERIMENTS.  
1788-1831.

"For tales were told of inland seas  
Like sullen oceans, salt and dead,  
And sandy deserts, white and wan,  
Where never trod the foot of man,  
Nor bird went winging overhead,  
To wake the silence with its breath—  
A land of loneliness and death."

—A. B. Paterson.

"C'était aussi une haute pensée, due au perfectionnement de l'économie politique; c'était une grande révolution dans le système routinier de la colonisation européenne, que cette fondation à la fois, sans projet de cultiver la canne à sucre, le coton, les épices, ou l'indigo, et sans espoir de mines d'or à exploiter."—*Blosseville, on the 1788 Settlement (1831).*



## CHAPTER I.—THE INITIAL STAGE (to 1809).

In 1787, the logic of a few facts and considerations of strict economy determined that Botany Bay should be settled. The facts were that there were 100,000 convicts in England and that, of these, 40,000 were awaiting transportation. The factor of economy came in with the consideration that a convict in the hulks cost £26/15/11 a year, while he could be transported 10,000 miles for less than £20. Hence, as a Committee of the House of Commons reported in 1779, it was advisable "to establish a colony of convicted felons in any distant part of the Globe."<sup>1</sup> But where? America was closed, and Africa had meant extermination for the convicts. That left only the South, to which attention had been directed a short time before by a French writer, de Brosses (1756).<sup>2</sup> He had emphasised the islands directly north of Australia, so that, when news came of Cook's discoveries on the East Coast, the topic was by no means undeveloped. Cook merely buttressed and gave hope to a trend which had been emerging, the upshot being a resolution to send convicts to the new lands of the South.<sup>3</sup>

But it must be realised that there was no notion of a colony as a society. Pitt and Sydney, the responsible statesmen, merely wished to solve a troublesome problem in the cheapest manner, while the public were either uninterested or cynical.<sup>4</sup> Accordingly, little provision was made for anything beyond the actual transportation. It was assumed that "so large an extent of country under such latitudes *must* be capable of producing sufficient to subsist *millions of people*." More regard was paid to muskets than to seed-wheat, to military precedence than to food supplies. There was no land policy, no selection of men who understood farming, no pro-

1. Journal of House of Commons, Vol. XXXVII., pp. 311-314.

2. "*Historie des Navigations aux Terres Australes*," esp. Book I., Chapter I. The argument was that "*le corps politique a, comme le corps humain, des humeurs vicieuses qu'il faut souvent evacuer*" (p. 29), and that the convicts, useless at home, "*peuvent rendre de bons services dans une colonie*" (p. 31). The site specially mentioned was New Britain. The whole was translated in Pinkerton's "*Voyages*."

3. For the correspondence, see Historical Records of N.S.W., Vol. I., Part I., pp. 1-55; Historical Records of New Zealand, Vol. I.; article by Wood in Journal of Australian Historical Society, Vol. VI., 1920, pp. 36-68.

4. Barton, "History of Australia from the Records," p. 57-58.



vision for time-expired men, no arrangement for intercourse with India. Such things did not matter, so long as the "infamous assemblage" was removed from England.

Governor Phillip, therefore, found himself in a unique and troublesome position. He had 700 convicts and 200 soldiers set down on an unsatisfactory site<sup>5</sup> (January, 1788), with provisions for two years and a miscellaneous collection of Rio plants and Cape stock. The officers were quarrelsome, the convicts useless, the land disappointing; for, instead of the long grassy stretches of which Banks had spoken, there was a thin strip of "very indifferent" country hemmed in by an impassable mountain barrier, beyond which were supposed to be either dreary wastes of "desert plains" or "vallies choked up with mangrove swamps," the whole with scarcely a spot "not absolutely untenable by man."

But Phillip overcame the pessimism of the situation, and, developing a point of view that was truly imperial, laid the foundations of a policy which not even mutiny and continued maladministration in later years could eradicate. Realising that it was not wise to rely too greatly on outside sources, he tried to provide an adequate food supply within the colony. A suitable site was found when reconnoitring parties reached the mouth of the Hawkesbury and pushed through the black-butt forests to the upper reaches of the Parramatta.<sup>6</sup>

A Government farm was established at Rose Hill, but at this point difficulties emerged. The convicts, who had no incentive to work, were food-stealers, not food-producers. Hence the Rose Hill establishment for years returned little more than the amount of grain sown.<sup>7</sup> Starvation became more and more imminent, especially when the convicts kept on arriving, and when the store ship was lost.

Since only twenty acres had been sown by the end of 1788,<sup>8</sup> Phillip turned to free settlers.<sup>9</sup> His first idea in this connection

5. The total, including women, was 1030. For the hardships, see MS. letters (Mitchell Library, Sydney), Rev. Johnson-H. Fricker, 9/4/1790, 18/3/1791.

6. See Dawes' chart (March, 1791), in Barton, p. 164; Hunter, "Historical Journal" (1793), p. 512 et seq.

7. Phillip-Nepean, 9/7/1788:—"All the crop raised this year and the next will be saved for seed." Collins' "Account of N.S.W.," p. 45.

8. Cp. Paterson, "History of N.S.W." (1811), pp. 45-48, for the stock.

9. Private despatch of Phillip to Nepean, 8/7/1788:—"If fifty farmers were sent out with their families they would do more in one year in rendering this country independent of the mother country, as to provisions, than a thousand convicts." Cp. Phillip-Sydney, 10/7/1788; Phillip-Grenville, 17/6/1790.

FROM MAPS OF ALT (1794), HUNTER (1796, 1798) AND GRIMES (1796, 1806).

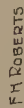


Fig. 7.



was to set up something of a feudal system with the rich overlord, lesser freemen, and convict servants. Thus, when he wrote in 1790 that settlers were "absolutely necessary," he meant "landed proprietors" who could "bring with them people to clear and cultivate the lands, and provisions to support those they bring with them." Ordinary settlers were not to be desired, because they "want that spur to industry" which is provided by the possession of capital, and because they may "become a burthen to the settlement, for they cannot be left to starve." Phillip's plan for settling the Nepean with large farmers "placed at some distance from each other" in many ways forecasted the essentials of the Wakefield plan, for there was to be a tacit understanding that the owners were to bring yeomen from England in return for their lands.<sup>10</sup>

However, the scheme proved impractical, and Phillip was hampered by his instructions. His first commission had not mentioned lands and his second (April 22, 1787) dealt only with emancipated convicts.<sup>11</sup> Not for over two years (August 20, 1789) was it provided that "every reasonable encouragement" should be given to marines and free settlers and, even then, it had to be "without subjecting the public to expense."<sup>12</sup> But Phillip deliberately disobeyed these instructions, for, he said, "had I adhered to that determination, I must have given up all thoughts of procuring any settlers from the detachment." He therefore gave Government aid for a longer period and to a greater extent than his instructions allowed and, by doing so, fostered practical settlement.

His first settler, an expirée named Ruse, entered on his thirty acres at Parramatta in November, 1789, nearly two years after the landing. Within fifteen months Ruse was enabled to decline further support from the Government<sup>13</sup> and his establishment, "Experiment Farm," justified Phillip in the undertaking of further attempts. Three more persons, the first freemen, were soon settled on the creek leading to Parramatta, the chief being Phillip Schaffer, at "The Vineyard."

By this time, Grenville, the Secretary of State, was watch-

10. Phillip-Sydney, 13/2/1790.

11. Historical Records of Australia, Series I., Vol. I., pp. 2-15. Cp. Phillip-Grenville, 1/3/91.

12. Grenville-Phillip, 20/8/89.

13. Phillip-Grenville, 5/11/91. For Ruse's methods and results, see "The Beginnings of Government in Australia" (Commonwealth Government), pp. 15-16.



ing the agricultural experiments with interest, for the question of the disposal of time-expired convicts had arisen. Ninety per cent. of the first detachment were short-term men, and Grenville insisted on their becoming settlers. "It should be distinctly understood that no steps are likely to be taken by the Government for facilitating their return," said a despatch of 1791.<sup>14</sup> On the efforts of Ruse and Schaffer, therefore, depended the success or failure of the whole experiment. If they failed, the problem of the hundreds of expirees would be insoluble; if they succeeded, the system of transportation would be able to run smoothly beyond the initial stages. This was the significance of a Cornish farm boy and a German soldier of fortune in the history of Australia. Their success enabled what a French writer (de Blosseville) called "a great revolution in the routine system of European colonisation"<sup>15</sup> to continue.

The consequence was that, within two years after Ruse, there were 87 settlers, half expirees and half seamen or marines. Of these, fifty were on Norfolk Island, but the bulk of cultivation was on the Parramatta groups. At this stage, only one acre in every eighteen was under crop, but, within another year, that is, by the time of Phillip's departure (October, 1792), the cultivated area had increased twenty-fold, covering 1700 acres.<sup>16</sup> In these few figures is summed up the work of Phillip. He had founded the settlement and quelled the difficulties of origin.

But the difficulties incidental to the expansion of that settlement were just emerging. First, the settlers had abused the assistance offered by the Crown<sup>17</sup> and few were bona-fide. Secondly, there was the question of officer settlers and the extent of their grants. Not until an ensign of the New South Wales Corps actually wanted to settle was the problem raised (1792), and unfortunately Phillip was prevented from carrying

14. Grenville-Phillip, 7/2/1791.

15. "*Histoire de la colonisation pénale et des établissements de l'Angleterre en Australie*" (1839), pp. 89, 103.

16. See return in his last despatch, 17/10/92. By this time, there were 64 settlers on the mainland, 58 on Norfolk Island, and 46 more waiting.

17. Phillip-Dundas, 4/10/92. Many accepted grants merely to obtain the passage-money to England or to sell out quickly for other purposes. Phillip termed them "settlers who only look to the convenience of the present moment." The residence clauses were not strict, especially in Norfolk Island, where men sold their holdings as soon as "they had received that assistance which had been promised them."

his carefully-regulated system of grants one step further to deal with this new contingency.

These two vital questions fell to Phillip's successor, Grose, who administered during two of the most crucial years of the colony (December, 1792—December, 1794). But these years saw an anarchical policy rather than consolidation. Grose, timid and "fearful of acting so much from my own discretion,"<sup>18</sup> allotted his grants by favoritism rather than any scale. Emancipists in certain cases received more than free settlers, while an ordinary marine was favored more than the highest officer. Grose, complaining that he was "much plagued with the people who become settlers,"<sup>19</sup> gave land to all kinds of illicit persons, with no other title than a slip bearing the words, "A.B. has my permission to settle."<sup>20</sup> In less than three years, Grose and Paterson granted 15,639 acres, and yet the number of actual settlers diminished.<sup>21</sup>

When Governor Hunter assumed control in 1795, therefore, the outlook was bad. Much of the land had been so reduced in value that the expenditure of seed was no longer justified. Government clearing of land was a thing of the past, and to so low an ebb had matters come, that "to ensure bread to the settlement" was once more a vital matter.<sup>22</sup>

Hunter adopted the idea of State aid to settlers. To make the lot of the farmer as certain as possible, he fixed prices, promised to buy all wheat,<sup>23</sup> and opposed the previous policy of attempting "to cultivate land enough for the maintenance of all the convicts." But the only return for this transgression of his orders was the very "general indolence" which he had tried to prevent.

The Governor was forced to direct civil officers "to pay a sudden and unexpected visit to all the different districts," for the industry of the settlers varied directly with the proximity of officials. But such visitations were useless in a new

18. Grose-Dundas, 3/9/1793. Cp. note by Watson in *Historical Records of Australia*, Series I., Vol. I., p. 733; also enclosure 4 of Hunter-Portland, 25/7/1798.

19. Grose-Dundas, 9/1/1793. He held that officers were "the only kind of settlers on whom reliance can be placed."

20. By the middle of 1797, "there were 150 settlers without any grant of land or any authority whatever," except a licence of a military commandant. Hunter-Portland, 12/11/1796, 10/6/1797.

21. For details of grants, see *Historical Records of Australia*, Series I., Vol. I., pp. 438, 471-4.

22. Hunter-Portland, 28/5/1796.

23. Hunter-Portland, 28/4/1796; Government orders of 2/10/95, 13/1/96.

country, and Hunter reluctantly admitted in 1796 that nothing could be done.<sup>24</sup> "Their idleness cannot well be prevented, the distance from hence is so great." Another consequence of the certainty of Government aid in the last resource was that the settlers plunged recklessly into debt. Five small settlers had debts aggregating £4419, and such men would sell the whole of their year's produce "for a few gallons of a very bad rum."<sup>25</sup> The upshot was that, in 1795, only a handful of the 1600 settlers were thriving.

A radical change in land policy was therefore needed. Hunter now explained his failure by the mingling of convicts in the general body politic, and reverted to a policy of public farming,<sup>26</sup> although he made it plain that this was only because of the excesses of the settlers. Even as late as 1798, he tried to rehabilitate the farmers, calling for a statement of their grievances in order to "consider the best mode of relieving them."<sup>27</sup>

In this groping after a compromise, various interests came to be clearly defined. First, there was the logical and inflexible policy of Downing Street, reflecting the *laissez faire* of the day. Portland, the Secretary of State, vigorously opposed Hunter's idea of what was really State Socialism, and desired neither too much aid to settlers nor too much activity on the part of the Government. How, he asked, could "the interest of the publick" be furthered, if "the publick should feed those convicts, whose labour it gives to individuals, and should afterwards purchase the produce of that labour"?

Secondly, there was Hunter, trying to evolve a flexible policy of development and in a perpetual quandary. He wanted to please both the settlers and the Home Government, and alienated both. He could in no wise cope with the schemes of the officers and the settlers. "I have been bred to a different profession."<sup>28</sup> The settlers would not meet him

24. Hunter-Portland, 20/8/1796; an important despatch.

25. Hunter-Portland, 10/1/1798, 1/2/1800. "The settlers are so frequently ruined, their crops mortgaged, their persons imprisoned and their families beggared—falling back upon the public store to prevent starving through the heavy debts they contract, having no other means to which they can apply—that their ground by this means becomes useless from the want of strength to work it."

26. "to use every effort in my power to render Government as far independent as possible of the farms of individuals."

27. Hunter-Portland, 25/6/1797; 2/3/1798.

28. For strife of civil and military, see MS. letter (Mitchell Library, Sydney) Lieut. Grant-Banks, 23/8/1801.



half way, while his officers, "the department of the Commissary" in particular, took advantage of his good will.<sup>29</sup> His position was clearly impossible. For example, in 1799, he lowered the price of grain at the behest of the Home Government; to conciliate the settlers, he was forced to rescind the order; while the corruption of the officers rendered the administration either of the higher or the lower price uncertain.

The third element lay in the fact that at this juncture organised complaints of the settlers first appeared. Towards the middle of 1797, John Macarthur, then a captain of the New South Wales Corps, began to protest against the nationalisation of production.<sup>30</sup> Such protests led to the appointment of two commissioners to convene meetings of settlers and to hear their grievances. Their report<sup>31</sup> was the first attempt in Australia to mould land policies by actual experiment and observation, the first utilisation of actual data, instead of general assumptions.

The grievances were real. The system in vogue was that the Government fixed the price of grain yearly, and received the settlers' produce into the public granaries at that artificial price. But at first this failed, because the output was insufficient and because grain served "in lieu of so many other articles." Even when this difficulty was removed, favoritism appeared, with the result that the officers' crops went to the stores, while private settlers had to sell to "dealers, pedlers, and extortioners" at prices "shameful to be told." A class of middlemen preyed both on the settlers and the Govern-

29. Hunter-Portland, 20/8/1798, enclo. 1; 7/1/1800.

30. Portland-Hunter, 30/8/97; correspondence in Historical Records of Australia, Series I., Vol. II., pp. 89-167. Macarthur's argument was curiously illogical. He set out to prove the folly of public agriculture, while the facts he adduced really condemned the settlers whose cause he was advocating. He showed how easy it was for individuals to do the work, for two men working eight hours daily could clear and cultivate "an acre of the most heavily encumbered ground" in a month. But this was only justifying the withdrawal of assignees and the continuance of Government farming, for how much more easily could the central authority do these things with its large man-power, despite inefficiency? Moreover, the failure of the settlers under such easy conditions implied laziness or apathy, or both. The real grievance lay in the fact that Hunter had refused Macarthur's inordinate claim for 100 men.

31. Report in Historical Records of Australia, Series I., Vol. II., pp. 136-140. The Commissioners, Marsden and Arundel, recommended joint trading and a fair distribution of supplies, based on statistical information. They were convinced that indiscriminate aid to settlers was "a nefarious practice" which "by encouraging their idleness and dissipation brought their destruction." But they also condemned the apathy of the Colonial Office. Regulated, instead of indiscriminate, help was the keynote of the report.



ment.<sup>32</sup> In one instance, four out of 213 settlers were allowed to fill the granary, but, although Hunter dismissed the person responsible in this case, the evil continued.

It was for these reasons that the 1798 Commission found farming at such a low ebb,<sup>33</sup> Parramatta alone showing signs of prosperity. In the "fertile fine farms" of the Ponds district, 17 farmers raised only 80 bushels of wheat. In the Prospect district, only six of 20 grantees remained on the land, although Phillip had been careful to select for this region "none but ye industrious and sober." Of 73 of Phillip's settlers in the whole of the six districts,<sup>34</sup> only 21 remained in 1798, and even these, owing to "ye introduction of spirits and traffic among themselves," were "a burthen to Government." Finally, concluded the Commission, "unless some speedy and salutary measures are adopted to save the falling landed interest, it is our joint opinion ye expenses of Government and the distress of the farmers will daily accumulate."<sup>35</sup>

Thus matters stood at the end of Hunter's rule, although even the distressed settlers acknowledged that the "peculiar situation" was not due to the kindly but weak Governor. When he left, there was a population of 4955, of whom 3545 were victualled by the Government. There were 388 settlers, seventy per cent. of whom supported themselves,<sup>36</sup> and the total wheat production was 75,000 bushels, or twelve bushels to the acre. During his troublous rule, Hunter had made 364 land grants, 181 to convicts.<sup>37</sup> These came to 28,279 acres, nearly twice the area granted by all of his predecessors. There

32. A complaint of 1799 said that "the same wheat is received into the Government stores at 10/- per bushel which the settler is under the necessity of selling to the huckster at 3/-." See Hunter-Pollard, 7/9/1798, enclo. 1. A petition of 173 Hawkesbury settlers said in 1800 that the Government paid twice as much as was necessary for its grain.

33. For arguments favoring and opposing the settlers, see—

(a) Petition in Hunter-Portland, 1/2/1800. (Officers had monopoly of stores, assigned servants, Government stock, agricultural necessities, etc.)

(b) Hunter's reply, in enclo. 5:—"Many amongst them" (it may be said nine-tenths) might have prospered had they "indulged less in those ruinous gratifications which have so often reduced themselves and their families to beggary and a prison" and had they not turned from labor "to some whimsical speculation in traffic."

34. Parramatta reduced from 7 to 2, Northern Boundary from 10 to 1, Prospect from 20 to 6, the Ponds from 16 to 4, Field of Mars from 8 to 3, Kissing Point from 12 to 5.

35. Hunter-Portland, in Historical Records of Australia, Series I., Vol. II., p. 146; King-Portland, 28/9/1800.

36. Of these, 47 had their farms seized and 24 were actually in gaol for debt. There was "scarcely one whose crop is not mortgaged."

37. For details of grants, see Hunter-Portland, 6/2/1800, enclo. 1.

was no scale in the grants, but the practice of giving large areas to officials was heralding the day of the powerful settler.

When Governor King arrived, therefore, the settlers were depressed, middlemen flourishing, laborers demanding exorbitant rates, and the country suffering from the joint effect of "a most tedious and unfortunate drought," bush fires and floods.<sup>38</sup>

King at once adopted a definite line of action,<sup>39</sup> aiming at a benevolent *laissez faire*, which would secure economy to the Government and opportunity to the settlers. Phillip's hothouse methods and Hunter's State Socialism were both to be abandoned, but, in return, all settlers were to be treated alike. It was "equally his inclination, as well as his duty, to shew no preference to any place or industrious description of people."<sup>40</sup> The number of assigned servants was therefore reduced to two per settler and, to allow scope for the operation of purely competitive factors, only such grain "as the stores may need" was to be purchased. Government orders were allotted amongst the settlers in proportion to their crops in order "that the real cultivator may have the preference."<sup>41</sup>

Convict labor, too, was to be rendered profitable. Everybody fed by the Government had henceforth to work for the State, and public convicts were no longer to clear land for settlers. Instead of this dispersion of labor, there was to be concentration on a large farm at Castle Hill.<sup>42</sup> King, a *protégé* of Phillip's, thus showed that he could secure "the strictest economy" while "encouraging the industry of the inhabitants" and, though he naturally encountered "the opposition of every one in the colony," there was an obvious improvement.

The result was that, by the end of 1801, the Governor was able to report that the settlers were "renewing their former industry" and that the cultivated area had increased 25 per cent. for two years in succession. In 1802, the colony

38. For the state of agriculture, see Hunter's despatches of 20/8/98, 30/8/99, 5/9/99, 15/2/00, and his vindication in 25/9/00.

39. For the position, see Hunter-Portland, 1/5/99, 30/3/00; Paterson (1811), p. 375; King-Portland, 28/9/00.

40. Government Order of 10/7/00, in Historical Records of Australia, Series I., Vol. II., p. 595.

41. General Order of 12/2/01, in King-Portland, 10/3/01. For other reforms, see King-Under-Secretary King, 19/10/00 (reduced price); King-Portland, 10/3/01 (enforcement of debts).

42. King-Portland, 8/7/01, 21/8/01. See note by Watson in Historical Records of Australia, Series I., Vol. III., p. 763. For Portland's attitude, see his despatches of 19/6/01 and 21/8/01.

was self-sufficient, and King stated "*most explicitly* that this colony has not, nor can have, further occasion for grain or flour being sent from England."<sup>43</sup>

But only the fringe of the problem had been touched, for each of the three existing types of settler was unsatisfactory. First, there were the convicts who made good settlers but who were as a class demoralised, because for over ten years "the utmost licentiousness had prevailed." Secondly, there was the ordinary free settler who had received permission to occupy land, but such men, "without either property to employ others or abilities to work themselves,"<sup>44</sup> showed little advance, although there were 404 of them in a population of 5866 (1802).

King therefore turned to the third class, the larger settlers, and revived Phillip's idea of feudalised farming. He urged that farmers with capital be sent out in preference to laborers, with the result that from 1802 onwards there were certain master farmers who obtained privileges "above the common Class of Settlers."<sup>45</sup> King hoped by this "mixture of the inhabitants" to revive the farms, one-third of which were "*totally deserted.*"

Two factors, however, upset his calculations, the more obvious being the opposition of the officers under Macarthur. Although these persons "greatly forwarded the clearing of land and raising grain," they were in general obstructionists who ruined Hunter and forced King to change his plans. Their power was great, for 34 amongst them had 18,000 acres,<sup>46</sup> and, of these, ten could supply the State with the whole of its grain. It was their opposition which forced King to turn from a class of squires to emancipists, and which led directly to the new policy of 1804.

Coupled with this was the failure of public agriculture. While Hunter had vacillated in this regard, King had forced

43. King-Hobart, 9/11/02, and reply of 24/2/03. The yields were 6013 bushels (1800), 7595 (1801) and 11,050 (1802). King's despatches of 14/11/01 and 21/8/01, enclo. 10.

44. "I have been obliged to victual two free families upwards of three years." King-Hobart, 1/3/04; King-Portland, 14/11/01. Cp. 1/3/02 (an important summary) for a general classification.

45. Under-Secretary Sullivan-King, 5/8/02.

46. King-Portland, 21/5/02, enclo. 2; King-Hobart, 9/11/02, for list of officers with land. Of the grants, 2 had been made by Phillip, 27 by Grose, 53 by Hunter and 3 by King. The total came to 8890 acres, augmented by purchase to 18,055. For the quarrel, see King to Under-Secretary King, 21/8/01, and to Nepean, 31/10/01.



COMAILAND AND THE  
HUNTER SETTLEMENTS

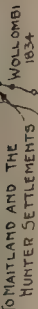


Fig. 8.





the policy to success, but in doing so made its abandonment inevitable. By 1802, the "overplus" of 14,000 bushels<sup>47</sup> raised the question of a market for produce, the matter being more troublesome since King's instructions had prohibited all foreign intercourse.<sup>48</sup> But, if public agriculture were rendered more efficient, and if the settlers could not sell their grain outside the colony, free colonisation was doomed.<sup>49</sup> Either public farming or free agriculture had to go. The fate of 600 settlers was in the balance when, fortunately, the policy was seen to be economically unsound.<sup>50</sup> It was realised that it was wise only where there was a surfeited labor market or in times of stress. But it was clear that the settler's need of finding "a vent for the produce of his fields" was the paramount necessity, and Hobart, the Secretary of State in 1804, ordered the curtailment of public agriculture and the dispersion of the Government herds.<sup>51</sup>

At the close of King's *régime*, therefore, came many changes in land policy, the whole amounting to a complete *volte face*. Since the past had shown that to guarantee a price was wasteful and that public farming was retrogressive, the stress was now on settlers, and it was the cardinal feature of the new economic policy of 1804 to aid them as much as possible. More bond labor was to be allowed, premiums of stock were to be given to deserving settlers, and the Government was to advance loans in kind.<sup>52</sup>

The second element of the new policy was the disposal of produce by the operation of supply and demand, to further

47. King-Portland, 1/3/02; for Home Government's policy, see long despatch of Hobart-King, 29/8/02, the one object being "to diminish the burthen at present borne by this country."

48. Hobart-King, 28/2/02.

49. Public agriculture doubled from 1800 to 1802, and at first seemed a financial success. Private farms were rented by the State, a profit of £1600 being realised on one alone. King-Hobart, 19/5/03.

50. No longer was the settlers' satire true, that public farming was "An invention alone of my propagating,

Which, though ruin to them, was a good undertaking."

for King reported in 1860 that "the produce of grain raised by those at public labor is very short of the expence of their provisions and cloathing." Although the amount of grain bought by the Government continually declined (£7284 in 1801, £4484 in 1802, £5413 in 1803), the return from 300 convicts at Castle Hill was not commensurate.

51. King-Hobart, 1/3/04. See Hobart-King, 24/2/03, foreshadowing the change and the reversal in King-Hobart, 16/4/04; and to Camden, 30/4/05.

52. King-Hobart, 30/10/02; Government Order 31/7/02. Cp. the "seditious anonymous papers" of 1803 (enclo. 2, King-Hobart, 9/5/03) attacking the new policy.

"Horned cattle now may settlers take for grain—  
Save drawing bills, to Government a gain."

King's aid to the settlers was scorned as a "keep-shop" policy.

which King tried to adopt a system of tender, with safeguards against the monopolists (1804).<sup>53</sup>

Thirdly, there was to be a general withdrawal of Governmental activity. Previously there had been an excessive centralisation. "Everything necessarily centred in the Governor as the *primum mobile* of the machine; the police, the roads, the market, the importation of supplies, the cultivation of provisions, and even the prices of every article of daily consumption were regulated by the orders of the Governor; these *phirmans* entered into some of the minutest matters of domestic life."<sup>54</sup> But 1804 was the dividing line in this matter, too. This may be seen from the circumstances surrounding the introduction of wool. In the case of agriculture, the Government had conceived its duty to be to lead the way, for settlers would not adopt new methods "until the Individual sees the success of the exertions of those employed by Government." Yet, in 1805, the same Governor wrote in connection with wool-growing, "I do not consider it an object for Government to interfere," for it was clear that new ventures "thrive so much better when conducted by the Individual who has an interest in the produce."<sup>55</sup> The Government was no longer to lead agrarian changes.

Fourthly, the new policy involved immigration, King even going to the extent of advocating the introduction of Maoris and Chinese. Laborers of all kinds were required,<sup>56</sup> and, more important still, settlers "of responsibility and capital." Hence, special terms and large grants were to be given to rich men who could develop the colony, the first being the Blaxland brothers, who obtained grants of 8000 acres on condition that they spent £6000 (1805).<sup>57</sup>

53. King-Hobart, 20/12/04, enclo. 4. The new policy was summed up in the instructions given to the Lieutenant-Governor of Norfolk Island. "No greater quantity of grain is to be purchased than will suffice with that raised by the Government for the services of the current year, and it is to be received only in such quantities as may not endanger by keeping. No purchases are to be made unless by previous advertisement, and tenders of the lowest price to be preferred for every article." See Order of 30/12/03.

54. Chief Justice Forbes-Under-Secretary Horton, 6/3/27, in Historical Records of Australia, Series IV. (law), Vol. I., p. XV., 688.

55. King-Camden, 20/7/05, 2/10/05.

56. The labor shortage was due to the attraction of the fisheries, to the exodus of expiries to India and to the growth of sub-letting by settlers who had taken up too much land. King-Under-Secretary Cooke, 1/11/05. For need of selection, see Under-Secretary Sullivan-King, 30/11/03.

57. Also "useful convicts" (one per 100 acres), fed and clothed by Government; passage and rations for himself, wife, five children, female servants and bailiff; 15 tons of stowage, etc. See Castlereagh-King, 13/3/05 (enclo. 1); 13/7/06.

Fifthly, with the enwidened outlook of the new policy, came a movement for an export trade.<sup>58</sup> Over-production was now as troublesome as under-production had previously been, and, in the last few years of King's rule, the Isle of France, Tahiti and the outlying settlements were all considered as possible markets.

Lastly, the new policy of 1804 meant a rational and progressive control of land policy, allowance for the first time being made for expansion. The Government desired to group settlers in "*townships*" or shires of up to 30,000 acres with the farms radiating round centrally placed "*towns.*"<sup>59</sup> In this way there would be a gradual conquest of the interior. Further, to provide for cases in which the reckless granting of the past had hemmed in settlers, commons were demarcated, the first at the Hawkesbury in 1804. These lands were *not* retained by the Government, but vested in certain "Resident Trustees (chosen by the settlers and other cultivators of the district.)" Seven more were at once proclaimed,<sup>60</sup> and were important because they showed that the needs of development were coming to be stressed—that, in short, an evolutionary was replacing a static viewpoint.<sup>61</sup>

Such was the new policy of 1804, but it is difficult to allocate the credit for its introduction. Much was inevitable growth, or a mere recognition that circumstances had changed. But it is evident that Hobart fostered this recognition. Few Secretaries of State were as energetic as he was, and to him alone must be attributed the change regarding public agriculture, for on this point King's views died hard. The rest of the policy, however, was the work of King. The views on emigration and providing for future settlement were entirely his, and even the despatch which recalled him acknowledged that his land administration had been beneficial,<sup>62</sup> although

58. King-Hobart, 20/12/04. "The private cultivator says, "What am I to do with my overplus grain if I cannot sell it to Government to pay my debts to individuals, or send it to some other market?"

59. See note by Watson on different meaning of "town" (shire) and "township," in Historical Records of Australia, Series I, Vol. III., p. 787; also Hobart-King, 28/2/02.

60. King-Hobart, 9/5/03, 7/8/03. Note by Watson in Historical Records of Australia, Series I., Vol IV., p. 679-80.

61. King-Hobart, 7/8/03. "I am warned of the necessity of that precaution by the inconvenience now experienced by the people on the banks of the Hawkesbury."

62. Hobart-King, 31/11/03. Watson is incorrect in saying that the reproof extended to all sections of King's rule. The main point of contention was King's policy of favoring emancipists, as expressed in his letter to Major Johnston, 18/2/03 (enclo. 3 in King-Hobart, 9/5/03).



the execution both of his original plan and of the new policy of 1804 was rendered impossible by the opposition of the officers.

Under him, the colony had progressed, for, though he left it in tumult, the settlers were not bankrupt, as they had been when he arrived.<sup>63</sup> When he came, 401 proprietors held 43,786 acres; when he left there were 646 with 84,466 acres. The settled districts had increased to below Windsor and the intervening country had in general been occupied. The area under cultivation had almost doubled, and the population had increased from 4936 to 7052.<sup>64</sup> Above all things, there had been no grain imports, save after the Hawkesbury floods of 1806. It had been a time of transition to an economic viewpoint, and it was King, domineering and obstinate, who directed and furthered this change. The development in this period both retrieved the colony from the chaos into which it had fallen under Hunter and made possible the progress under Macquarie.<sup>65</sup>

Next came an interlude in which the opposition of the military flared up in mutiny, only to destroy itself. Nevertheless, Bligh's two years were of vital importance in the growth of the settlement, for this stormy period focussed attention on Australia and led to the withdrawal of the New South Wales Corps, which had defeated Hunter, caused the recall of King, and now deposed Bligh. When these soldiers were absorbed in the Highlanders or demobilised, the greatest obstacle to the extension of Australian settlement was removed.

Then, too, Bligh's interim was important because it gave an opportunity for the operation of the new policy of 1804 in all its aspects. Bligh, while doing "everything that a Governor could do to alleviate the distress of the Colony"<sup>66</sup> after the floods, saw that indiscriminate aid was the very

63. Despite his insistence on Government dues, he was popular among the settlers. (See encl. 6 of King-Hobart, 1/3/04.)

64. Of these, 40 per cent. were engaged in farming. For the position at this time, see King-Camden, 15/8/06, and despatches of 7/8/03, 14/8/04, 1/11/05 (to Under-Secretary Cooke), and 12/8/06.

65. Contrast this estimate with that of the editor of the *Historical Records of Australia* in Series I, Vols. III.-V. Watson says, "It is difficult to trace any direct influence of the Governor in improvement of the conditions of life in the colony." But he is prejudiced against King and in favor of Hunter. It is true that many of King's acts in land matters were strange, e.g., grants to children, his claim to a share of the wild cattle, large grants to his family and concessions to his successor, but these need to be judged by the morality of the day.

66. J. D. Lang, "Historical and Statistical Account of New South Wales" (fourth edition), Vol. I., p. 97.

reverse of beneficial.<sup>67</sup> He wanted "plain, sensible Farming Men, of moderate expectations," and opposed both the convicts—a "thoughtless set of Men"—and King's squires, who were "so speculative as to care for nothing but making money."<sup>68</sup> His land policy was in every way moderate and progressive, although he underestimated the forces opposed to him and laid himself open to attack by certain land activities which resulted in his personal benefit.<sup>69</sup>

In the interregnum after his deposition (1807-9), there was a period of retarded development during which each administrator enforced a different policy. While Johnston was moderate, Foveaux had no real policy, and Paterson, "a passive figure-head," merely revived the promiscuous grants of the time of Grose. Under Paterson alone, 413 grants, aggregating 64,475 acres, were made in one year, and there was some ground for Bligh's accusation that the *de facto* administrators had "a bold and determined way of giving Grants of Land to certain Persons who they believe can be secured in their interests."<sup>70</sup> Their grants, therefore, were rendered void when Macquarie assumed control, but the Colonial Office vested a discretionary right in the governor-elect to confirm such as he deemed fit.<sup>71</sup>

So matters stood after the first two decades. There had been no complaint about the system of grants, and no fixed scale had been evolved. There was a population of 10,452, of whom 737 were settlers. Of course, a far larger proportion was employed on the land, but these were the independent grantees. They held 95,637 acres, or an average of 128 acres each, and cultivated in all 7615 acres, but by this time the cultivation figures alone no longer suffice to tell the state of the colony, for there were 74,568 acres of pasture land.

The settlement, it is true, was confined to a coastal strip

67. Bligh-Windham, 5/11/06.

68. Bligh-Windham, 31/10/07 (a very important statement of policy). See encl. 2 for his graduated scale of help, forecasting some of the later stages of Macquarie. Also 7/6/07.

69. He engaged in private farming and took three grants from King a few days before he assumed office. Then he issued a grant to King's wife entitled "Thanks"! See note in Historical Records of Australia, Series I., Vol. VI., pp. xiii-xv, for the legal doubts which arose in 1840 concerning this action. Also "S.A. Register," 15/1/42; Macquarie-Bathurst, 7/10/14.

70. Macquarie-Liverpool, 13/11/12.

71. The revolutionary grants were:—Major Johnston 12, 6814 acres; Lieut.-Colonel Foveaux 21, 10,257 acres; Lieut.-Colonel Paterson 413, 67,475 acres. All were annulled by Macquarie's proclamation of 4/1/10 and most re-granted by a proclamation wrongly dated 1/1/10. See Macquarie-Castlereagh, 8/3/10, and encl. 2; Johnston-Castlereagh, 11/4/08; Liverpool-Macquarie, 26/7/11.

stretching from the alluvial flats of the Hawkesbury to the cedar-forests of Illawarra, and extending scarcely forty miles inland, but, within this area, settlement was compact.<sup>72</sup> The pains of travail had been experienced, and the colony was waiting for a strong man to realise the gains made possible in the initial period.

That men came in the first week of 1810, when Lachlan Macquarie drew three ships up to Sydney Cove, prepared either for a broadside or a ceremonious landing.

72. See Fig. 7.

## CHAPTER 2.—MACQUARIE (1809-1821).

Macquarie's position was a difficult one, for, before enforcing the essentials of the policy of 1804, he had to reconstruct the society of the colony and eradicate the impress of the military section. Macquarie had received his instructions from Castlereagh, who was practical enough to realise that the Governor's 73rd Regiment of Highlanders would probably be a more useful aid to settlement than any theory of Downing Street.<sup>1</sup> But, in 1811 Castlereagh was replaced by Liverpool, who revived the old economy *motif* and who desired one thing only, "the strictest attention to economy in every department."<sup>2</sup>

The consequence was that Macquarie, who subordinated economy to development, soon quarrelled with the Secretary of State. He admitted that expenditure had doubled since 1809, but claimed that the expansion of settlement more than offset this. He had launched a comprehensive policy of settlement in the "interior" rather than on the dangerous river-flats, and had provided for everything from township allotments to reproving settlers for "miserable Cloathing." Settlement was progressing as it had never done before and,<sup>3</sup> moreover, it was settlement by small emigrants, not by speculating officers.

Having taken this stand, Macquarie defined his attitude to free settlers. While officers were no longer to receive grants for their services,<sup>4</sup> worthy settlers of all classes were to be aided. Free immigration was to be encouraged,<sup>5</sup> so long as the settlers were not "a Burthen on the Government," and

1. Castlereagh-Macquarie, 14/5/09 (really his instructions). The key-note was that it was desirable "to allow the markets to find their own level" and to break up Government farms. See Macquarie-Liverpool, 18/10/11, for the execution of these plans.

2. Liverpool-Macquarie, 26/5/11; 4/5/12.

3. Macquarie-Liverpool, 9/11/12.

4. Macquarie's despatches of 13/11/12 and 31/7/13. In 1817 the embargo was extended even to civil officers.

5. Macquarie-Bathurst, 7/10/14; 28/4/14. The point to emphasise is that the Governor was at no time rabidly opposed to settlers *as such*. The failure to realise this has been responsible for much faulty analysis of Macquarie's land activities. *Useful* settlers with moderate capital were welcomed even in the period when Macquarie was building up the emancipist class.



the Governor desired lowly freemen as well as capitalists. Until the Colonial Office's change of policy in 1817, Macquarie definitely encouraged free settlers, and, to justify himself, reported in 1814 that "a Spirit of Cultivation" and "a progressive state of Improvement" were noticeable.

Applying his criterion of usefulness still further, Macquarie vigorously opposed monopolists, and joined Bligh in saying that rich settlers like the Blaxlands, who "turned their whole attention to the lazy object of rearing of cattle,"<sup>6</sup> were violating the implicit contract which they had formed with the Government in taking grants. He reported that "The encouragement of this description of persons called '*Gentlemen Settlers*' by extraordinary concessions in their favour has not heretofore contributed to the advancement of Agriculture in this Colony."<sup>7</sup> And, though he never grasped the importance of the pastoral pursuits which these settlers were developing, he was right in the main issue. The favored grantees became "unreasonable and troublesome," and it seemed as if the military oligarchy were being reincarnated in the form of a civil monopoly.

Cases of imposition<sup>8</sup> were so pronounced that Bathurst unreservedly supported Macquarie, who was literally forced to turn away from capitalist settlers. But what was the alternative? Macquarie was not opposed to free settlers "of moderate expectations," but every immigrant of this type involved "a Very Serious Expence to the Crown."<sup>9</sup> Therefore, since no

6. Macquarie-Liverpool, 17/11/12.—An important pronouncement of policy. Cp. Bathurst-Macquarie, 3/2/14.

7. In another place (Macquarie-Bathurst, 7/10/14) the Governor thus defined the two classes of settlers. Gentlemen settlers were "Persons whose former Habits placed them either Above or out of the Line of Farming Concerns, and whose Pride, or mistaken Ideas of the Colony, led them to Imagine Themselves Intitled to Degrees of Indulgence beyond those Extended to the Ordinary Rank of persons getting farms for culture . . . Such are the Persons designated Gentlemen Settlers, in Contradistinction to those of a lower Class, Whose early and laborious Habits render them Useful to the Colony, and Constitute them, properly speaking, the Yeomanry of the Country, they being the real Improvers and Cultivators of the Soil." Time and again Macquarie refers to the latter as "a very great acquisition to the Colony."

8. There were persons like Ellis Bent, a leading legal official, who received large grants for himself and his two infant sons, and who illegally disposed of the land even before the grant had issued. (Macquarie-Bathurst, 24/2/15.) There were persons of the type of Lord, who "thinks, because he happens to have a Wealthy Brother, who is a Member of Parliament, he ought to receive whatever he asks for." (Macquarie-Bathurst, 28/6/13, 7/10/14.) Then there were resident capitalists like Blaxland who wished to settle on commons and obtain grants by false estimates of property. There were absentees who had never been in the Colony, and traders and persons successful in other spheres of life who wished to become lords of "broad acres." But, worse than all of these, were aristocrats like the ex-officer of the Guards who was shipped off by "an Affluent and genteel Family" in order "to get rid of such a Burthen."

9. Macquarie-Liverpool, 17/11/12.

increased expenditure would be allowed under any circumstances (for Britain was in the final throes of the Napoleonic wars), there was no choice.

Macquarie, both by inclination and necessity, espoused the cause of those expeirees for whom King had been ruined. "Gentlemen Settlers" were nuisances; ordinary yeoman were unobtainable; emancipists, therefore, especially from 1812 onwards, filled the breach. The Governor claimed that such persons were "the best Description of Settlers for this Colony,"<sup>10</sup> and was supported by both Bathurst and a Parliamentary Committee on Transportation (1811), for "the propriety of the general principle could not be doubted."<sup>11</sup>

Hence, of 352 persons who settled on the land in 1816, only 15 came as immigrants from England. To maintain this condition, and to keep out both "poor Settlers" and speculators, Macquarie and Bathurst commenced a rule of stringency, although both of them still encouraged "respectable *Monied Men*." One of Macquarie's first deeds was to insert a clause in each grant, forbidding sale until five years had elapsed (1812), for he had found as a very prevalent practice "the obtaining grants for the sole purpose of selling them." At the same time, a cultivation clause—the first general proviso of its kind<sup>12</sup>—was added. Bathurst went even further, and insisted that each settler "should produce satisfactory Evidence that he was possessed of Property to a certain extent."<sup>13</sup>

This campaign was justified by the development of the *hinterland* beyond the Nepean, but even Macquarie held that the rise in quit-rents (1814) was going too far. Despite the Governor's protests that this would be "unproductive to Government and most discouraging to the Landholders,"<sup>14</sup> Bathurst held that where "Indifferent Forest and Brush Wood Lands" were worth from 3/- to 5/- an acre, and where "Rich Flooded

10. Macquarie-Castlereagh, 30/4/10; Macquarie-Liverpool, 17/11/12.

11. But it was a different matter regarding emancipist magistrates. It was recognised in England that "this principle may be carried too far." Cp. Lang, "Historical and Statistical Account" (third edition), Vol. I., p. 151.

12. Macquarie-Liverpool, 14/11/12. There had been an isolated case before, when Paterson qualified a grant to J. Handle (1/11/09) by giving it only "on condition of cultivating the same immediately and not to be disposed of for five years." For copy of the clause introduced by Macquarie, see Historical Records of Australia, Series I., Vol. VII., pp. 626-7.

13. Bathurst-Macquarie, 3/2/14. At the same time, Government aid was restricted to a period of six months. For Macquarie's insistence on firmness, see Government Order of 5/2/14, enclosed in Macquarie-Bathurst, 24/5/14.

14. A "Collector of Quit-Rents" was appointed. A quit-rent was a permanent annual due, redeemable by purchase. (Bathurst-Macquarie, 3/2/14.) Henceforth, the rate was 1/- an acre. "Sydney Gazette," 17/5/36.

Lands'' brought up to £6, an insistence on the Crown's rights was necessary in the interests of the community.

Thus matters stood when the country to the west of the Blue Mountains was opened up (1815) and when Macquarie formulated his mature policy. By 1817, Macquarie and Bathurst had so experimented, and so much compared conditions with those of Canada, that they had evolved a real system, based on no encouragements "beyond a Grant of Land and Some assistance of Convict Labour."<sup>15</sup>

Hereafter, everything was to be in proportion to the actual amount of capital possessed by the settler, and the sales period was being ushered in by the stress on the one element of capital. Favoritism and influence were to give way to a strictly mathematical apportionment.

The second part of the new system dealt with the old question of a market. Before Macquarie had assumed control, one Plummer had asserted that either export or a distillery was essential (1809). King had solved this problem ten years earlier, but his solution remained in abeyance, as the new solution did now. The Treasury Officials (1816) recommended public competition, and Bathurst even threatened to import Indian wheat if it were cheaper. But Macquarie postponed the new system,<sup>16</sup> and carried on the old method of government purchase. The distillery was not established until 1822;<sup>17</sup> there were no foreign markets; and, as late as 1819, a petition held that "an abundant Crop beyond a certain quantity is injurious and a loss to the Cultivator in this Colony . . . It creates a supply greater than the Consumption, and reduces the price of the Portion actually consumed, whilst the surplus becomes useless for want of a Market."<sup>18</sup>

By this time, it was clear that the energy of Macquarie was waning, and the second period saw the evil side of his land policy. His impolitic advancement of emancipists had severed his early connection with Bathurst, and for over nine years he

15. Bathurst-Macquarie, 24/7/16, and Macquarie-Bathurst, 31/3/17. Both despatches outline the new policy.

16. Macquarie-Bathurst, 28/6/13; 7/8/13; Bathurst-Macquarie, 24/7/16, enclo. 2; cp. 23/11/12. Macquarie upheld the new idea, but thought the time inexpedient. (D. of 31/3/17.)

17. "Sydney Gazette," 10/2/21. See Wentworth, "New South Wales" (first edition), pp. 199, 237.

18. Macquarie-Bathurst, 22/3/19.



forwarded no returns of land grants.<sup>19</sup> To make the confusion worse, he gave a large number of permissive occupancies,<sup>20</sup> that is, he allowed persons to improve and sell lands, without any title. This was storing up trouble for the future, and, even thirty years later, lands promised by Macquarie were still in dispute.

There was trouble, too, in other directions. There had been an ever-increasing expenditure with little return; the legal side of the land regulations had failed; the large farmers opposed the Governor because there was no market, and the graziers joined them because he neglected their protest against the English duties.<sup>21</sup> The result was that Macquarie tendered his resignation in 1817, although he remained in control of the Government until November, 1821.

In the interim, the first Commissioner of Inquiry had visited the colony to furnish that information which the governor's despatches had omitted.<sup>22</sup> Price-fixing, tender, and anything pertaining to "the Agricultural and Commercial Interests" were to be considered, for Bathurst desired to have unbiassed data for a comparative study of colonial conditions,<sup>23</sup> in particular, those of New South Wales and Canada.

The choice of John Thomas Bigge, a London lawyer, was, however, unfortunate, for the Commissioner came "with a strong and deep-rooted Prejudice against all Persons who had had the Misfortune to come out as Convicts," and with an undue leaning to the large proprietors.<sup>24</sup>

But the criticisms of Macquarie's land policy were justified, as the position explained its own weakness. In the colony, 324,251 acres had been granted and, of this, convicts held more than a quarter (83,502). Thousands of blocks in the country

19. Under-Secretary Goulburn-Macquarie, 15/3/21.

20. Bourke-Goderich, 16/5/33. In one case, the Governor sent a settler to the new country around Lake Bathurst, on a vague understanding regarding certain natural boundaries.

21. Macquarie-Bathurst, 4/4/17.

22. The general opinion of the Colony was that Macquarie would get "hot water." See letter of Bent-Piper in MS. "Piper Papers" (Mitchell Library, Sydney), Vol. III., pp. 141-2.

23. For appointment and aims of the Commissioner, see Bathurst-Macquarie, 30/1/19. Also Historical Records of Australia, Series I., Vol. 10, pp. 2-10.

24. Entries in Macquarie's MS. Diary (Mitchell Library, Sydney), for 27/9/19 and 6/2/20. Also Macquarie-Bathurst, 22/2/20. The entries in Onslow's "Macarthurs of Camden" show into whose hands Bigge fell. Mudie, in his "Felonry of New South Wales" (1837), though not in favor of Macquarie, held that Bigge "was engaged in getting hold of everything that could in any way degrade or affect the good name of the Governor." Cp. "Sydney Gazette," 10/9/27.



and "nearly four-fifths of the houses in Parramatta and Sydney" were held without title.<sup>25</sup> There was a lackadaisical method of allocating lands. The settlers preceded the surveyors, whose preoccupation on Admiralty work allowed them to map only 145 farms a year. The surveyors had no incentive to keep pace with occupation, since their profit was hardly 2/6 a farm. Even if they did hasten, there was a long delay in completing the deed, because the registration fee scarcely paid for the parchment.<sup>26</sup> After this, again, there was further neglect, so that the restrictive clauses remained a dead letter,<sup>27</sup> a test case (*Jones v. Knopwood*) declaring in 1821 that the Crown could do nothing until a Commission of Escheat was established.<sup>28</sup> As for the quit-rents, they had not been collected since 1809, although the special officer appointed in 1814 gave no other reason than "want of time."

Thus, at every stage in land matters, there was abuse. But, though Bigge clearly pointed this out, his constructive proposals were not very original. He merely advocated a revival of the antiquated system of public agriculture in new convict settlements to the north, and the institution of the long-sought distillery to use the surplus grain. Instead of the real solution of an export trade, he relied on the building of more granaries and the conversion of the wheat into the arrack of the time. In the granting of land, he recommended that blocks be in proportion to capital alone, but this was only Bathurst's programme of 1817. Admitting that "there hitherto existed no precise rule," he adopted the scale suggested by Surveyor-General Oxley, and even his suggestion for supplementary sales. Macquarie's settlement of ex-pirees was also to be continued, if the men had some capital, and if special lands in the vicinity of townships were reserved for them.<sup>29</sup>

Though in no sense new, these recommendations were wise

25. Bigge's Third Report, pp. 42, 44-45.

26. The procedure was that persons could choose where they liked and then watch for a notice in the "Sydney Gazette" (e.g., 24/3/21, 27/10/21), which read thus:—"All persons who have received His Excellency the Governor's Order for Land and who intend having it in the Counties of \_\_\_\_\_, are desired to attend to have the same measured at the Times and Places as understated. . . ." See Oxley-Macquarie, 27/4/14 (in Macquarie-Bathurst, 28/4/14) for position of the surveyors.

27. Bigge (Third Report, pp. 37-8, 40-1) held that, if enforced, "the condition must operate as an expulsion of the proprietor."

28. "Sydney Gazette," 7/4/21, for a full report, especially of Field's argument.

29. Bigge Third Report, pp. 48-50. Cp. Bathurst-Brisbane, 9/9/22, for the Commissioner's attitude to the emancipists.

and judicious, and served to clarify the issues. They justified Bathurst's policy, but condemned Macquarie's administration of that policy. Bigge's land enquiry, in a word, enabled Bathurst's programme to realise itself in the twenties.

The remaining years of Macquarie's rule were devoid of interest in this regard, except when he enunciated his final scale of grants. The governor wished only to lay down his trust, for he was urging a lost cause. The emancipist class could not form the backbone of the colonial population, and it was clear that the day of the small free immigrant was dawning.

The arbitrary treatment of settlers in his last few years, therefore, was merely retarding progress.<sup>30</sup> Thus, his refusal to allow any ex-soldiers to settle (1820), on the ground that "the habits of Idle laziness possessed by these people render them the worst description of Settlers," was unreasonable. His last two years (1820-1) saw only 31 grants, while a notice of March, 1821, positively forbade applications for land.<sup>31</sup>

Clearly, Macquarie's best work was in the years before 1817, and that work was manifest. Despite his love of ostentation and his somewhat ill-balanced judgment, he guided the colony over the transition stage. He put into practical operation the new economic policy of 1804 and laid the material foundations for the expansion of settlement in the twenties. It was indeed fortunate for Australian development that the last of the despots was a practical and energetic man—a commander of men, whose discipline was tempered by the breadth of view due to a literary training and a service on five staffs.

Under him, the colony had expanded from the county of Cumberland to beyond Bathurst, and there was, as the following table shows,<sup>32</sup> a corresponding progress in all directions:—

	1810.	1821.
Population .. .. .	11,950	38,778
Cultivation (acres) .. .	7,615	32,267
Sheep .. . . .	25,888	290,158
Cattle .. . . .	12,442	102,939
Revenue .. . . .	£8,000	£30,000

30. Macquarie-Bathurst, 31/8/20, for a statement of his policy at this period. Cp. "Sydney Gazette," 27/4/16.

31. "Sydney Gazette," 24/3/21.

32. Contrast returns in Macquarie-Castlereagh, 30/4/10, encls. 5, and the most important tables in Macquarie-Under-Secretary Goulburn, 24/11/21. The last was a review in detail of Macquarie's land activities for over ten years.

As he himself declared, he "found New South Wales a gaol, and left it a colony; he found Sydney a village, and left it a city; he found a population of idle prisoners, paupers and paid officials, and left a large free community, thriving in the produce of flocks and the labor of convicts."<sup>33</sup> He laid out six townships, and, in addition to crossing the mountains, encircled Sydney for fifty miles with serviceable roads. A bank enabled persons "to cultivate their land more effectually than their own limited means could have possibly extended to,"<sup>34</sup> with the result that the Government valuation of average lands came to be 7/6 an acre.<sup>35</sup> Macquarie thus raised the colony "to as high a pitch of prosperity"<sup>36</sup> as was possible, and left his enemies, like Sydney Smith, wondering how "the value of lands is half as great in Sydney as in the best situations in London."

But there was another side to the matter. It has been said that, although he converted "the land of convicts and kangaroos" into "a fine and flourishing settlement," he failed in the wider issues.<sup>37</sup> A colony of emancipists was an impossible (even if a logical) conception, and Macquarie persistently refused to recognise the importance of the stockowners and the pastoral industry. His attitude to free immigration, after 1817, was irrational, and he departed from the wisdom of his former policy.

The fundamental point is that Macquarie's very success rendered himself an anomaly. A war-trained Governor, who subjected lawyers and capitalists to his will, was admirably suited for a convict settlement, but not for an expanding free colony. Macquarie, as inflexible as the pine-tree on his badge, refused to deviate one jot from the principle, "*Quod Gubernatori placet, legis habet vigorem*."<sup>38</sup> This explains clearly why he succeeded with a convict population of 12,000, but failed with a colony of nearly 40,000 people. Herein lay his strength and his weakness, but even the weakness does not detract from the services he rendered.

33. In his "Letter to Rt. Hon. Viscount Sidmouth" (1821). Cp. his able defence in Macquarie-Bathurst, 27/7/22. Also Journal of Australian Historical Society, Vol. XIV., 1917, p. 84, or "Daily Telegraph" (Sydney), 25/3/14.

34. Macquarie-Bathurst, 1/9/20.

35. Bathurst-Macquarie, 24/7/20.

36. Wentworth, First Edition (1817), pp. 175-190. Cp. Piper's answers to a circular of 15/1/20, in MSS. Piper Papers (Mitchell Library, Sydney), Vol. I., pp. 433-436.

37. Sydney Smith in "Edinburgh Review," Vol. 32, 1819, p. 28. He bids later generations "appretiate, as they ought, the energy which founded a mighty Empire in spite of the afflicting blunders and marvellous cacæconomy of their Government."

38. Words of Justice J. H. Bent, in 20/4/15.



### CHAPTER 3.—THE EXTENSION OF SETTLEMENT.

Apart from the material prosperity, the outstanding feature of Macquarie's period was the expansion of settlement. In this connection, there had been a great change of ideas. At first, "those new quarters of the world" called Australasia, "after the President de Brosses," were looked on as barren.<sup>1</sup> A visiting captain, as late as 1803, compared the land to the desolate wastes of Cape Horn, and the towns to "a miserable Portuguese settlement."<sup>2</sup>

But, as the pioneers pushed beyond the barren girdle of coast land and through the ten-mile stretch of thick forest, they found "a country truly beautiful," "an endless variety of hill and dale," without any stamp of barrenness.<sup>3</sup> Parramatta formed the centre of agricultural operations and was soon surrounded by five lesser districts. The poor land between Sydney and Parramatta was settled when the officers received permission to hold farms, while, in 1794, Ruse and Williams sold their Parramatta holdings and forced a way through the threatening circles of natives to the Hawkesbury (January, 1794).<sup>4</sup> A little later, when the continual submergence of these river lands led to a search in other directions, Hunter settled some disgruntled Tahitian missionaries on the district north of Parramatta, where the land was "superior to any that had yet been seen."

Thus, when King came in 1800, there were, in addition

1. Review of Pinkerton's *Voyages* in "Edinburgh Review," Vol. 10, 1807, p. 164. Until the time of Flinders, it was not known whether Australia was one vast continent or a complex of islands, and, even when that issue was settled, the notion of an inland sea took its place. See R. Howe, "Australian Almanack," 1828, p. 49; Heeres, "The Part Played by the Dutch in the Discovery of Australia," p. 64.

2. Lieut.-Governor Ross-Nepean; *Historical Records of New South Wales*, Vol. 5, p. 209; Onslow, "Macarthurs of Camden," p. 40. A surgeon of the First Fleet held that it was a "country and place so forbidding and hateful as only to merit execration and curses," while the Lieutenant-Governor predicted that wheat could not be raised "in less time probably than a hundred years hence."

3. Wentworth (first edition), pp. 45-47. Cp. *Historical Records of New South Wales*, Vol. 5, p. 173.

4. Piper Papers (Mitchell Library, Sydney), Vol. 3, p. 500, for Marsden-Piper, 20/6/06, for a contrast of "the barren soil of Elizabeth Farm" and "the luxuriant pasture of the Hawkesbury." For the growth of settlement, see article by G. Hendy-Pooley in *Journal of Australian Historical Society*, Vol. 2, 1906, p. 12 et seq. See Fig. 7.



to Sydney and Parramatta, ten small farming areas, all scattered within the county of Cumberland.<sup>5</sup> During his period, the Hawkesbury settlers spread to the junction of the Colo, and two pioneers had even encroached on Camden county; but for long the settlement remained confined to the narrow strip between the Hawkesbury and the sea. So matters stood when Macquarie arrived.<sup>6</sup> The Nepean, which was ascertained to be the same river as the Hawkesbury, was the boundary, save for the cedar-cutters of Illawarra and a few convict coalminers on the Hunter.

The demand for land forced the Governor to open the lands between the river and the mountains.<sup>7</sup> The Cowpastures beyond the Nepean, where the offspring of the escaped cattle of 1788 had flourished, were penetrated by settlers, and the grassed plains were taken to the foot of the Blue Mountains. But "the miserably bad farms," and the enforced cultivation of land "of inferior capacity" in the located districts,<sup>8</sup> together with the rapid increase of stock, rendered "some new tracts of country" absolutely necessary.<sup>9</sup>

The task seemed insuperable, for towering peaks hemmed in the settlement on three sides, and adventurer after adventurer had been repulsed. But, in May, 1813, three young men—the settler Blaxland, the officer Lawson and the student Wentworth—forced a way from Jameson's farm on the Nepean through the heathy country, and then the chaotic gorges—"the remains of some dreadful earthquake"—to "a fine grazing country" facing the west.<sup>10</sup>

5. In 1800 Sydney had 2513 people, Parramatta and Toongabbee 1444, and the Hawkesbury 979, a total of 4936. See Paterson (1811), pp. 148-9, for settlement within these boundaries. Cp. Historical Records of Australia, Series 1, Vol. 5, pp. v.-vi.

6. Except for a few isolated grants in Cook and Camden Counties. See King-Hobart, 1/3/04.

7. MS. "Remarks Concerning the Settlement of New South Wales" (Mitchell Library, Sydney), by Col. Foveaux (1809). Fully one-third of each large farm was bad ground.

8. Macquarie's MS. Diary (Mitchell Library), entry for 27/5/16. Also Bligh-Windham, 31/10/07. This settlement was chiefly in the districts of Ards, Appin and Minto.

9. Macquarie-Bathurst, 28/4/14; Historical Records of Australia, Series 1, Vol. 8, pp. 660-1.

10. This account is from the MSS. "Narrative" of Lawson and the "Remarks" of Wentworth, both in the Mitchell Library, Sydney. Wentworth thought the new country at least equal to the County of Cumberland in size, and, since it was "intersected by rills in every direction," deemed it "superior as a grazing country to any land on this side of the mountains." The last sentence of the MSS. sums up its value. "An extensive tract of good grazing land in the present confined limits of the Colony is an invaluable acquisition to persons possessing large herds of cattle, but its importance is considerably heightened when it is known that the only pass to it, although of easy access, is through a country naturally so strong as to be easily defended by a few against the efforts of thousands." Blaxland, too, stressed the military point of view. For the various routes, see Fig. 8.





It is difficult to over-estimate the effect of this discovery in widening the horizon of the community. The well-watered and scantily-timbered Bathurst Plains shattered for ever the conception that beyond the mountains was a desert scorched by winds as devastating as the "*Khamseen* of Egypt."<sup>11</sup> It was "a land of fatness all untrod," and, "inasmuch as it furnishes an Outlet for the Increase and Redundancy of population for a Century to come,"<sup>12</sup> the Governor very wisely sent a military detachment to prevent illicit entry, and developed a policy of opening the land by experimental farms.

But the large stockowners refused to wait, and Macquarie, giving "Permission to several of the great Stock Holders in the Colony to send their Horned Cattle across the Blue Mountains,"<sup>13</sup> set up a provision depot on Cox's River, and sent some of the 46th to protect the stockmen from the natives.

"And straightway from the barren coast  
There came a westward-marching host,  
That aye and ever onward prest  
With eager eyes to the west  
Along the pathways of the sun."

—A. B. Paterson.

At once a road was built practically along Blaxland's route,<sup>14</sup> but in 1819 Throsby, a large stockowner, found a much easier path to the southward, and in the twenties there were two new roads converging on Bathurst, one from Richmond<sup>15</sup> and one from the south.

During this same period there was expansion to the south. In March, 1818, Throsby, accompanied by Hamilton Hume, went south from the confines of Cumberland to Jervis Bay, an offshoot of the same expedition, under Meehan, turning west and discovering Lake Bathurst and the Goulburn Plains.<sup>16</sup>

11. M. Malte-Brun, "Universal Geography" (1822), Vol. 3, p. 531.

12. Macquarie-Bathurst, 24/6/15; 4/4/17. For policy, see Historical Records of Australia, Series 1, Vol. 8, pp. 558-589. Also excellent note by Editor in Vol. 9, pp. 849-850. The first detachment of cattle from the west of the mountains came out in October, 1815.

13. Macquarie-Bathurst, 18/3/16. After experiments at Bathurst, 50 pioneers "from the middling Class of Free People" were to go, and after two years, 100 more.

14. Built by Cox. See "Sydney Gazette," 10/6/15; Cox's "Memoirs" (1901), *passim*.

15. Made possible when Bell forced a way over Mt. Tomah to the Vale of Clwydd. The surveyor who reported on the project (1823) was R. Hoddle, who afterwards laid out Melbourne. J.A.H.S., 1917, pp. 551-2. See Fig. 9.

16. A good account by Cabbage is in J.A.H.S., Vol. 7, 1921, pp. 217-288, especially the accompanying map. Cp. Macquarie's MS. Journal, entries for 29/4/18, 16/10/20. "Sydney Gazette," 29/12/21.



Several parties visited the "very extensive plain" in the next few years, and Macquarie, visiting both the east and south, named the counties of "West-more-land" and "Argyle." The importance of these discoveries was that they showed that the Bathurst country swept round and connected with the "Goulborne Downs," and even the Jervis Bay plains.

Settlement to both these territories was soon proceeding apace, the first small settlers to the west being sent by Macquarie at the beginning of 1818.<sup>17</sup> But there was not much done until the coming of free immigrants in the early twenties, although by 1823 there were out-settlements even in Wellington Valley.<sup>18</sup>

To the south, Throsby was the first to take up land,<sup>19</sup> and by 1822 the tide of settlement had swept past Hannibal Macarthur's cattle station at Arthursleigh (the outpost until 1820) to Lake Bathurst, and, in the following year, through the County of Murray to the Lachlan. Bigge was instrumental in throwing open this country, to foster the expansion of which Macquarie freely granted lands between Illawarra and Jervis Bay.<sup>20</sup>

Corresponding to the settlement of the west and the south was the opening of the north, especially the Hunter River lands, which the convicts had been working since 1804. In 1822 both banks of the river were thrown open for selection, and within four years 372,141 acres were appropriated, so that by 1827 the cedar flats grazed 25,000 cattle and 80,000 sheep.<sup>21</sup>

The Bathurst, Goulburn and Hunter lands were thus officially opened, but during the same period stockowners were pressing, without permission, to the Murrumbidgee on the south, and to the Macleay on the north, thus preparing the way for the squatting question of the thirties.

In other ways, too, there were important results. Up to Brisbane's time (1822), there had been no regular survey, and

17. Macquarie's MS. Diary, 2/2/18, 23/4/18.

18. "Daily Telegraph" (Sydney), 27/12/13, for extract from Suttor Papers regarding settlers of 1822, or Journal of Australian Historical Society, 1923, p. 177, or "Proceedings of Royal Society of Queensland," Vol. 18, pp. 95-107.

19. Petition of one of first settlers (Hall), in Bourke-Goderich, 16/5/33. The journey to the west took 18 days in bullock carts over almost impassable roads, that to the south 21 days, the losses almost equalling "the marketable value of the farm."

20. Macquarie-Bathurst, 16/5/18. Cp. Bigge's Third Report, pp. 35-36.

21. Macquarie's MS. Diary, 27/7/18, 8/5/19; Dangar, "Index and Directory" (1828), p. 41; Journal of Australian Historical Society, Vol. 7, 1921, p. 177; Macquarie-Bathurst, 24/2/20. See figure No. 9.

by 1825 only Cumberland and the fringe of Camden were surveyed.<sup>22</sup> But the triple penetration which commenced at the close of Macquarie's period had spread over twelve counties or nearly three million acres by 1828.<sup>23</sup> This necessitated a systematic survey and subdivision, warrants for which were issued in 1824.<sup>24</sup> Oxley commenced and Mitchell finished this work which developed the famous "NINETEEN COUNTIES," the official limit of settlement.

The change at this period was summed up in the life-work of Mitchell, the Surveyor-General. He laid down the principal roads, especially the Great South and the Great North tracks and an improved road over the western mountains. He mapped out the roads on the same strategic principles<sup>25</sup> as he had used to plan the Torres Vedras lines; and his three great routes directed the course of agricultural settlement for decades. He gave the first map of the colony made from a trigonometrical survey (1831)<sup>26</sup> and apportioned the whole colony into counties and parishes. His was truly a name "engraved on the rocks and mountains of Australia" and his splendidly conceived lines of communication still remain,<sup>27</sup> as useful and as permanent as his Peninsula maps which the War Office used even after a lapse of eighty years. He fought for the colony against the Australian Agricultural Company and for his department against the Governor, and directed policies during the transition.

Thus, at the dawn of the thirties, New South Wales was occupied from Bateman Bay to the Manning and the emphasis

22. Oxley's return of ungranted land, 29/8/25, in Darling-Bathurst, 22/7/26. 2,906,346 acres had been granted by 1828.

23. "Colony of New South Wales for the Year 1828" (Legislative Council), p. 194. Cp. p. 175, for cultivation in each county. For limits in 1830, see A. Houston, "History of the Post Office," p. 8.

24. Historical Records of Australia, Series 4, Vol. 1, pp. 550-1; Journal of Australian Historical Society, Vol. 8, 1922, p. 80 (Rose).

25. For this period, see the Mitchell Library MSS., "New South Wales Roads," especially for Mitchell-Colonial Secretary, 18/8/35, or Surveyor-General's Correspondence, 35/532 (Mitchell Library). His vision of the future is seen in numerous entries of this nature ("Roads" MSS., Vol. 1, p. 12):—"If the Colony prosper, it is not improbable that this place (Berrima) might become a manufacturing town, where the wool of Argyle and Camden might be made into cloth and the hides made into leather, and from whence the surplus, after supplying the settlers, might be easily conveyed to the ports of Seringong and Kiama."

26. A French critic, Marin la Meslée (1883) calls this "*une magnifique carte*." It was engraved by Cross, and reprinted with additions in 1834.

27. See Stapylton's MS. Journal (Mitchell Library), 17/10/36 for praise, even by an enemy; MS. letter of Rev. Townshend (Mitchell Library), 4/12/35; MS. letter of A. Macleay (Mitchell Library), 29/12/36. The best estimate is in Stapylton, 6/7/36.

was wholly on expansion.<sup>28</sup> In the early thirties, the farmers were seeking the county of Argyle and, in the later years of the decade, Murray county and even the lands around Yass, outside of the Nineteen Counties. And the pastoralists were pushing down the Murrumbidgee to the sea, the whole development being due to men like Blaxland and Throsby, the discoverers, and Mitchell, the precursor of settlement.

28. Pilorgerie, *Histoire de Botany Bay*, p. 254, spoke in 1832 of "*un vif intérêt de curiosité*" about the interior as one of the outstanding features of the time.



— SOUTH-WEST OF WESTERN AUSTRALIA 1829-1920. —

Figs. 10-11.





## CHAPTER 4.—THE CONFLICT OF POLICIES. (1820-1830.)

Just when the horizon of the colony was expanding, the question of land policy was becoming acute. Up to this time the system of grants had been uncriticised, only the method of carrying it out and the proper scale to be adopted causing comment. But, in the early twenties, a change was brought about by two factors—the waste of the old system and the new element of free emigration.

In the beginning, the system was one of free grants at a moderate quit-rent<sup>1</sup> but there was no fixed scale to determine the area granted. Convicts were supposed to have 30 acres, private soldiers 80, and free settlers up to 100, but any practical utility of such a scale was destroyed when the Governor was empowered to give extra land to “any particularly meritorious settler or well-deserving emancipated convict.” This element of uncertainty increased,<sup>2</sup> too, when officers began to acquire land (1794) and when capitalists received special privileges (1804).

In 1804, the first large grants were given to Macarthur (5000 acres), Davidson (2000) and an orphan establishment (13,000);<sup>3</sup> and, from that time onwards, the Governor merely received a vague recommendation for each settler, ordering him to give “every encouragement to which they may appear entitled.”<sup>4</sup> This lasted until Bigge noted the complete lack of order and the possibility of misrepresentation on the part of applicants.

Grants could be given and withdrawn on the slightest pretext. On the one hand, they were freely given to infants,

1. The system was not unlike that of French Canada, for the Home Government insisted on two things—long strips with a narrow water frontage and ample reserves between each grant.

2. Bligh-Windham, 26/8/06, for an instance.

3. King-Hobart, 14/8/04, and note in Historical Records of Australia, Series 1, Vol. 5, pp. 801-2.

4. Under-Secretary Peel-Macquarie, 12/3/12; Cp. Under-Secretary Goulburn-Macquarie, 25/4/16, 21/8/17. Riley Papers (MSS., Mitchell Library, Sydney), Vol. 1, p. 12. The same year saw the advent of settlers who were “to have certain Priviledges” superior to those of ordinary settlers.

absentees, and persons about to be married; a school-mistress obtained one grant in virtue of her office and another when she left it; an officer obtained 15,000 acres because the Governor was "inclined to think" that the recipient "has an intention of settling here."<sup>5</sup> On the other hand, unwarranted withdrawals were not uncommon. Certain Hawkesbury settlers lost their lands because they were not sober, others because they signed a petition which the Governor thought unseemly,<sup>6</sup> and all of the Norfolk Islanders (1806) because the Government wished to remove the settlement.

With this uncertainty went a weak administration. Even Phillip admitted that the forms were "not so regular as could be expected" and the evil, especially in the case of town lands, grew apace.<sup>7</sup> Until 1822, "sitting down" on land was the usual mode of obtaining it and,<sup>8</sup> even after that date, when survey preceded selection, the numerous unrecorded promises by Governors caused trouble. The delay and confusion, the waste and favoritism of this system led to all kinds of experiments in the twenties, for the influx of free settlers made a change imperative.

There had been various schemes of immigration from the time of the negotiations with certain Anglo-Indians in the late nineties,<sup>9</sup> but none had succeeded. In the early twenties, however, several factors turned the attention of "persons shedding their own land" to New South Wales. Chief among these were Bigge's report, Wentworth's book, the opening of the new land beyond the mountains, and comparisons with American conditions.<sup>10</sup> Therefore, while there had been only

5. Darling-Bathurst, 19/3/27. Cp. Macquarie's MS. Journal, 16/11/16. A similar instance was when Macquarie bestowed 2000 acres on the Judge Advocate, 1000 on his father, and 500 on his brother-in-law, "which offer he gratefully accepted."

6. See MS. "List of Grants Cancelled Through Seditious Conduct," 25/9/16 (Mitchell Library). Cp. Macquarie-Bathurst, 3/4/17.

7. For an original grant in full, see Phillip-Nepean, 16/11/1791, enclo. 1; see note by Watson in Historical Records of Australia, Series 1, Vol. 1., pp. 756-8. For the details of this abuse, see Phillip-Dundas, 4/10/1792; Dundas-Grose, 31/6/1793; "Beginnings of Government in Australia," p. 16; Plummer-Macquarie, 4/5/09; Bligh-Windham, 31/10/07; note in Historical Records of Australia, Series 1, Vol. 6, p. 714.

8. Bourke-Goderich, 16/5/33.

9. Historical Records of Australia, Series 1, Vol. 2, pp. 476-480. Cp. Paterson (1811), p. 371.

10. E.g., in Canada, there were rigid limits and heavy fees attached to grants, and in U.S.A. the lowest-priced land was 8/4. It was computed that 1200 acres would cost £300 in Canada, £540 in U.S.A., and less than £6 in Australia. See "Westminster Review," 1825, p. 463, and Wentworth (third edition), Vol. 2, pp. 99-101, for such comparisons.

41 emigrants in the three years before 1821, the next two years saw 122 and 211, many of them gentlemen farmers and ranging from Spanish grandees to officers of Bengal infantry.<sup>11</sup>

The Home authorities strove "to create and uphold an opulent Gentry," on the grounds that this would both develop the interior and "relieve Parish Paupers in England." Equal opportunities were afforded to middle-class settlers, an epoch-marking change taking place in 1825, when the ban on unauthorised settlers was removed. Bathurst ordered that such persons "should receive a Grant, in the same proportion and under the same conditions with respect to Capital, as persons who have previously obtained my sanction."

This change was the more necessary because the old restrictions had proved unavailing, for Darling complained of a batch of settlers from Cheapside, "vouching for each other's property and evidently not one of the whole number knowing a Potato from a Turnip."<sup>12</sup> The removal of barriers, while it could not of course keep out such undesirables, provided an impetus for the emigration of agriculturists and mechanics with small capital and soon there was "a perpetual influx of settlers of various classes."<sup>13</sup> This led to an appreciable change in the tone of the community and meetings of freeholders<sup>14</sup>—hitherto undreamed of—were held to consider such matters as the tender system or the competition of Valparaiso wheat. In general, there was a demand for regularity and order.

This of necessity directed attention to the evil of the existing system and what had previously been isolated experiments became matters of moment. Such experiments dated back to the scale of Surveyor-General Oxley who suggested that, for areas over 2000 acres, the applicant should be made to pay.<sup>15</sup> Bigge, Macquarie and Wentworth all supported this idea of sale<sup>16</sup> which, when Governor Brisbane came

11. Piper Papers (MSS., Mitchell Library, Sydney), Vol. 1, p. 489. Bathurst in particular leaned to gentlemen settlers, giving 20,000 acres to Macqueen and 30,000 to "an eminent merchant of Bristol."

12. Darling-Under-Secretary Hay, 16/12/26.

13. Onslow, "Macarthurs of Camden," p. 453. Letter of Macarthur, 6/2/25.

14. Mackaness Papers (MSS., Mitchell Library, Sydney), p. 5.

15. Bigge's Third Report, p. 48. For Macquarie's final scale, see despatch to Bathurst, 28/11/21, encl. 3.

16. Bigge's price was 5/- for "less favourable and more remote" lands and 10/- for land "in favourable situations." Wentworth proposed auction at an upset price of 5/- and Macquarie (1821) desired either 7/- or 10/-.



(1821), was mooted as a matter of practical policy. Hereafter, there was a conflict of the two ideas of grants and sales with the latter continually gaining.

In this conflict the personality of Brisbane played a large part,<sup>17</sup> for he was able to express the colony's point of view on the same level of discussion which Bathurst used to make known Imperial ideas. Unlike the earlier Governors, who had been blunt men of action, Brisbane was primarily a scientist and a thinker. As a thinker, he was the very person to help Bathurst evolve a general policy while caring little for the *minutiae* of administration. Thus, while he displayed a breadth of view such as none of his predecessors had, he allowed the actual control to fall into the hands of his subordinates, Oxley (the Surveyor-General) and Goulburn (the Colonial Secretary). But these defects as a Governor were the qualities which rendered him useful to Bathurst, who needed a trained thinker on the spot to adjust his general theories to actual conditions.<sup>18</sup>

First, Brisbane, aided by the long experience of Oxley, cleared up the situation which Macquarie had left, for he found much land "held by naked Possession without any Shadow of Right." To such a state of affairs had things come that "the smallest scrap of paper containing such a promise (to occupy) was equivalent, if not superior, to the best title from the Crown,—nay, an unsupported assertion, under the signature of the Convict Clerk in the Surveying Department, that such a promise had been made, has been known to pass current, with as much confidence in the public market, as a Spanish dollar."<sup>19</sup> No less than 340,000 acres of land were

17. His administration was "probably one of the most momentous epochs in the history of the Australian Colonies." In brief, under him, commenced free immigration, sale of lands, the "pernicious system" of using land revenue for general purposes, the first officially sanctioned monopoly (the Australian Agricultural Company), the separation of Van Diemen's Land, a council and trial by jury, settlement north, south and west of the previous bounds of Cumberland, and exploration in all directions. See Historical Records of Australia, Series 1, Vol. 2, pp. 1-11, for general review.

18. He introduced what he termed "a general System of Political Economy" into "this interesting Settlement," the crux of the whole situation being that New South Wales was no longer "a peculiar country" (Brisbane-Bathurst, 23/5/25). The convict aspect was merging in free settlement and, just as Macquarie had prepared the material side of this change, so Brisbane adjusted the theoretical and political sides.

19. Brisbane-Bathurst, 10/4/22, 30/5/23, 29/11/23, for general policy.

held on such unexecuted promises and naturally the tangle took years to clear.<sup>20</sup>

At the same time, the Governor inserted special clauses in the grants,<sup>21</sup> proposing that every grantee should maintain convicts—"one convict per hundred acres." Since this would be certain in its operation, there would no longer be any difficulty about false returns of property, for now the onus of making good his pretensions rested with the applicant himself. No more would there be inordinate demands and no longer would the Governor create "one ungrateful person and ten enemies" by each grant. And, since each convict cost the Government £20 a year, the economy of the proposal was undoubted. But, though the plan worked well and fostered settlement,<sup>22</sup> it was merged in the wider policy of Bathurst.

Brisbane, too, took up the new idea with interest, holding that "the colony has now arrived at that state as to bear it"<sup>23</sup> and that the system of grants, however checked, had worked itself out. The new problem of pasturage was the deciding point, for, since it required 2000 acres to graze 600 sheep and since the stock doubled every three years, the large stockholders were allowed to buy land, the first regulations being proclaimed in October, 1824. It was clearly a measure for the stockmen alone—the "pure merinos" to whom Brisbane always leaned—for nobody was allowed to purchase without a warrant from the Governor.<sup>24</sup>

It is interesting to note that the Governor ordered this system, without submitting it to the approval of Bathurst. This set the train of events leading to Brisbane's recall, for, early in 1825, Bathurst completely changed the Governor's plan.<sup>25</sup> To Brisbane, sales were only a means of enlarging

20. Oxley's return, in Darling-Bathurst, 22/7/26. Brisbane's policy was to carry out his predecessor's promises if reasonable. See "Sydney Gazette," 9/6/29, 11/6/21, 8/5/23, 8/11/24.

21. For the terms, see Darling-Bathurst, 22/7/26. Attacked in "Morning Chronicle," 21/8/24. The Government Notice is given in full in Historical Records of Australia, Series 1, Vol. XII., p. 827.

22. The system was progressive, too, for with it was linked a plan to prepare land for settlement by convict clearing gangs. But see Brisbane-Bathurst, 29/11/23, for reasons of its unpopularity, and Bathurst-Brisbane, 30/5/23, 31/5/23, for the attitude of the Secretary of State. For Brisbane's vindication, see his despatches of 28/4/23 and 23/7/24.

23. Brisbane-Under Secretary Horton, 1/7/24, 24/7/24.

24. For development of scheme, see Oxley's suggestions of 18/6/24, in Historical Records of Australia, Series 1, Vol. II., p. 344-5. "Sydney Gazette," 31/3/25.

25. See important despatches printed in Historical Records of Australia, Series 1, Vol. II., pp. 925-930, not sent to the colony. Also Bathurst-Brisbane, 1/1/25 for more mature form. Contrast Brisbane-Bathurst, 15/5/25.

grants; to Bathurst, on the other hand, they formed a tenure complete in themselves, not supplementary to grants but in operation co-equally with them. The local Governor wished to apply the same regulations to all settlers, great or small, whereas the Colonial Office had a bifurcated set of rules.

The poorer settlers, under Bathurst's plan, were to obtain grants up to 2560 acres, the richer were to purchase up to 9600 acres at auction, settlers of both types being allowed rebates in proportion to the convicts maintained by them. Under this plan, any man could come to the colony and obtain any area of land from a small plot to a large estate. This was more flexible than Brisbane's scheme;<sup>26</sup> and what had been a means of helping capitalists became in addition an aid to middle-class farmers.

This was the position when Governor Darling arrived in December, 1825.<sup>27</sup> Sales had already been launched; applications for 230,000 acres had been submitted within a year; there was now a fixed land revenue and land was daily increasing in value.

It was made clear at this stage that sales were ultimately to supersede grants and, though the two systems were to be enforced concurrently, sales were to be given priority. To hasten this consummation, a Land Board of three persons—the first in Australia—was to evaluate lands and decide on all matters pertaining to their alienation. The emphasis placed on this matter may be realised when it is grasped that two-thirds of Darling's instructions related to land matters alone!<sup>28</sup>

Darling, trained by a long service at the Horse Guards to consider small practical details,<sup>29</sup> put in operation the theory which Bathurst and Brisbane had evolved. They determined the structure; he, the mode of erection. It was but natural,

26. It is curious that Oxley failed to see the difference between the two schemes—"there is no essential or important difference," he wrote in May, 1825. See *Brisbane-Bathurst*, 31/7/25.

27. Brisbane had shown himself unduly friendly to a faction (*Historical Records of Australia*, Series 4 (law), Vol. I., p. 695). Darling was ordered, therefore, to redress the situation by affording the emancipists "the Countenance and Protection of the Government." See *Darling-Under-Secretary Hay*, 10/10/25.

28. Instructions in *Historical Records of Australia*, Series 1, Vol. 12, pp. 107-125.

29. Bathurst perceived this (despatch of 2/4/27) when he pointed out that Darling always allowed somebody else, the Council or the Land Board, to determine the vital points. Nothing better reveals the precise nature of Darling's mind than his scheme to have a Civil Service arranged in military order and each member with a block of land proportional to his status. See his despatches of 19/3/27 and 6/2/27, and reply of 28/12/25.



therefore, that he should at once pick out the flaws of the theory.

He saw that to give immediate priority to sales would be to nip the increasing emigration in the bud and that to give rebates for the maintenance of convicts in a land where the demand for labor exceeded the supply was uncalled for.

Supported by Oxley and the Land Board,<sup>30</sup> therefore, he asked that "priority of consideration" be accorded to "Applications made by free settlers for land *without purchase*"<sup>31</sup> and, in November, 1826, suspended sales until instructions arrived from England. The essentials of Bathurst's plan were thus attacked and it is a tribute to him that he gave way on every point<sup>32</sup> and placed sales and grants "exactly upon the same footing." The only difference was to be that, while the purchaser paid his dues at once, the grantee spread his over the future as quit-rents. By 1827, that is, Bathurst had realised that it was unwise to force colonial development and that no undue stress should be placed on sales. From 1826 to 1831, therefore, few Crown lands were sold,<sup>33</sup> although the experiments from 1824 to 1826 and, still more the protracted negotiations, played a most important part in preparing the way for the change of 1831.

It was clear, then, that there was no sudden change when grants were abolished in 1831, for the declaration in that year was merely the consummation of a trend which had been shaping itself for well over a decade. It was a final step rather than a total innovation. It was a gradual movement, well thought out and well tested by previous experiment, and, although it was Goderich who actually introduced the change, it was Bathurst who prepared it.

30. The Board consisted of W. Stewart, W. Lithgow and J. T. Campbell. See Bathurst-Darling, 14/7/25 and Historical Records of Australia, Series 4, Vol. I., p. 601.

31. For the full negotiations, see enclosures in the very exhaustive despatch of Darling, 22/7/26 (Darling's minute of June 28; the Council's reply of July 5; Oxley's memo. of January 26; the Land Board's opinions, March 20-23). For public opinion, see letter of Macarthur, 12/9/26, in Onslow's "Macarthurs of Camden," pp. 418-9, or Howe's "Australian Almanac" (1826), pp. 72-73.

32. Bathurst-Darling, 2/4/27, for final decision of policy.

33. Darling-Bathurst, 17/4/27. Sales were suspended from November, 1826, to July, 1831, despite the orders of 21/8/28 and 23/10/28, which were never acted upon. For abstract of the various regulations, see "Colony of New South Wales for the Year 1828," p. 16, et seq., or Callaghan's "Statutes," Vol. I., pp. 390-1, foot-note. For the rise in value during these interim years, see "Sydney Gazette," 28/1/28, 18/2/28, 2/5/28.



## CHAPTER 5.—THE OUTER SETTLEMENTS.

### I.—*Van Diemen's Land.*

In 1803, Lieutenant Bowen settled at Risdon Cove on the Derwent<sup>1</sup> in pursuit of King's policy of placing small military guards at various places on the coast of Australia and, in virtue of these outposts, of claiming the whole of the intervening land.<sup>2</sup> In this case, after the young officer had held on for eleven months with mutinous soldiers, Collins, having left Port Phillip, removed the settlement to a heavily timbered cove at Hobart. Land grants, to the extent of 200 acres per family, were at once issued<sup>3</sup> but, although the land looked "more like a nobleman's park in England than an uncultivated country,"<sup>4</sup> there was a long struggle against adverse circumstances.

The country was not as good as it appeared to be<sup>5</sup> and agriculture remained backward. The straw-thatched farm huts were "miserably bad";<sup>6</sup> clearing in many cases proved an insuperable difficulty;<sup>7</sup> the husbandmen had no knowledge of their profession and paid no heed to improving the soil; cultivation was with the hoe and there were no cattle until 1809, and even then only "a coarse sort of buffalo animal."

1 The reasons for the settlement are clearly set out in Hobart-King, 24/6/03 and 14/2/03, and King-Nepean, 9/5/03. King summed them up thus: "The necessity there appears of preventing the French gaining a footing on the Eastern side of these Islands; to divide the Convicts; to secure another place for securing Timber, with any other natural productions that may be discovered and found useful; the advantages that may be expected by raising Grain; and to promote the Seal Fishery."

2. King-Hobart, 9/5/03, Historical Records of Australia, Series 1, Vol. 4, p. xii, claim in Banks (Brabourne) Papers, letter of Banks, 6/6/06.

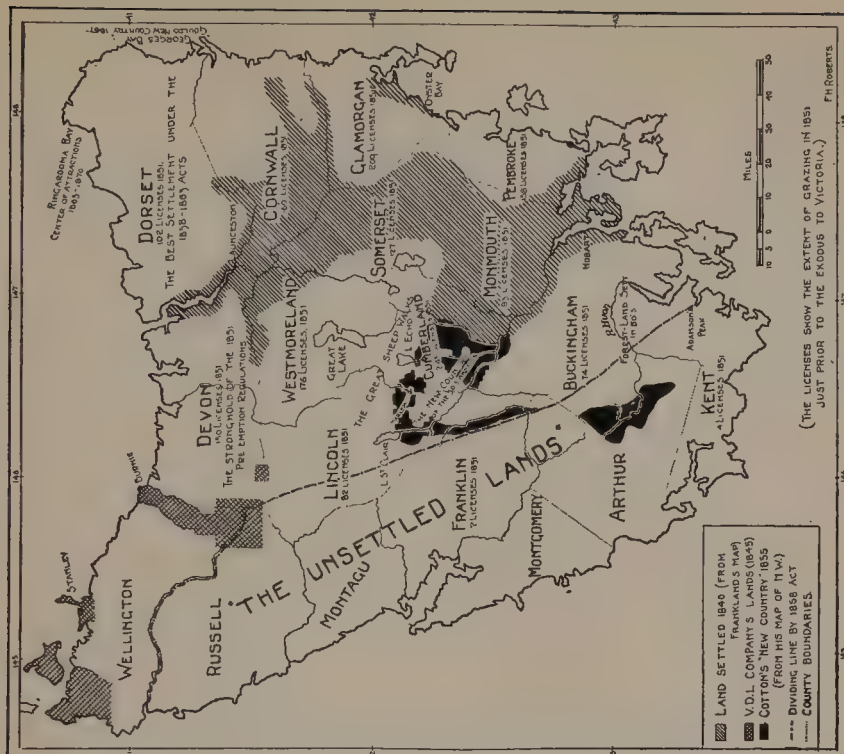
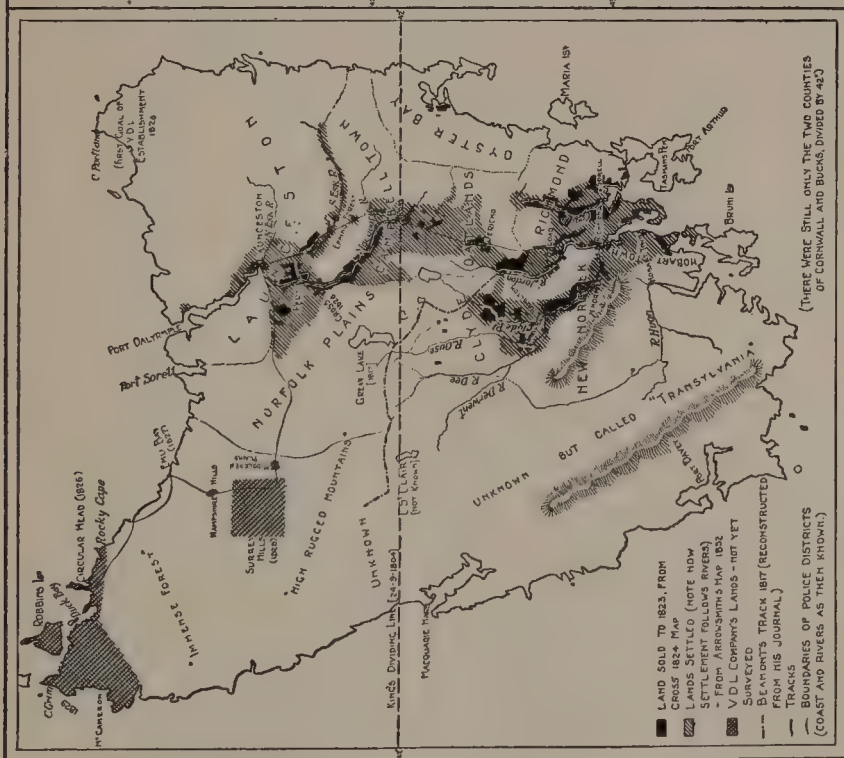
3. For earlier years, see Calder in "Hobart Mercury," 16/5/73. The instructions to Bowen are in King-Hobart, 9/5/03, enclo. 3.

4. Bowen's report to King, 20/9/03, in Historical Records of New South Wales, Vol. 5, pp. 223-7; Cp. p. 231 and map opposite p. 226. Also Evans' *Voyage à la Terre de Van Diemen* (1823), p. 42.

5. E. Curr, "An Account of the Colony of Van Diemen's Land" (1824), p. 62. Cp. Macquarie's MS. "Visit to Van Diemen's Land" (1810), for account of the "very poor bad soil" between the plains.

6. Macquarie's MS. "Tour to Van Diemen's Land," entry for 29/11/11; Cp. Curr, pp. 13-15.

7. F. Tottenkamp, "*Auswanderung nach Vandiemensland*," p. 15. "*Die groste Schwierigheit die der neue Anfiedler die, Umbrechung seines Landes überwinden muss, ist die Ausrodung der Bäume.*" Cp. J. Dixon, "The Condition and Capabilities of Van Diemen's Land" (1839), p. 55.



*Figs. 12-13.*



Disorder was the chief characteristic of the settlement, bush-rangers being so powerful that a farmer in the Sussex district<sup>8</sup> was unable to occupy his grant until nearly four years had elapsed. Armed sentinels had to protect the growing wheat and, even in 1807, starvation was imminent, the people being "compelled to subsist on the flesh of the kangaroo, fish, and Botany Bay greens."<sup>9</sup>

This state of affairs went on unchecked until the arrival of free settlers, the turning point being the arrival of the deported Norfolk Islanders in 1808. In less than six months, Collins' little community of 500 persons received 300 of these newcomers who had been removed root and branch because of Windham's desire for economy.<sup>10</sup> But, since there had been a regular carnage among their stock on the voyage in unsuitable armed tenders,<sup>11</sup> the new settlers were destitute and, when the remaining 226 arrived at the end of 1808, the whole community was on the brink of starvation.

In reality, however, this new stratum in the population changed the history of Van Diemen's Land, for they settled the rich lands of New Norfolk, and gradually "locations" spread through the Bagdad Valley and along the path to Launceston.<sup>12</sup> A number of disbanded marines joined them in 1813 and, three years later, the first emigration ship arrived from England. Soon, the colony began to pour corn into New South Wales proper and progress became still more rapid when Sorell came in 1817.<sup>13</sup>

A born administrator, he "produced order out of chaos"

8. Witness before Bigge. Historical Records of Australia, Series 3, Vol. 3, p. 246.

9. Lord's evidence before 1812 Committee of Commons. Cp. Parker, "Rise, Progress and Present State of Van Diemen's Land" (1833), p. 8. Also "Tasmanian Journal of Agriculture and Horticulture," 1/7/59.

10. For this incident, see Windham-Bligh, 30/12/06; Calder MSS. (Melbourne Public Library), Vol. 2, p. 20; J. B. Walker, "The Deportation of the Norfolk Islanders" (1895); Piper Papers (Mitchell Library, Sydney), Vol. 1, pp. 84-97, 132-3, 135, especially Collins-Piper, 21/4/08 (Piper was the commandant at Norfolk Island). Some of the settlers had been established at the island since the First Fleet and the only compensation they obtained was a double area of land in Van Diemen's Land.

11. Letter by W. Maum, 28/1/08, in Calder MSS., Vol. 1, p. 194.

12. For locations, see Evans' map (French edition is quite different from English and much better), 1822; J. B. Walker, "Tasmania, the Colony as it was in 1837." For conditions, see Historical Records of Australia, Series 3, Vol. 3, p. 583. See fig. 12.

13. His predecessor, Davey, had been so lax that he simply told people to go and take land. See Macquarie-Bathurst, 4/4/17, and contrast his instructions in despatch of 28/6/13. For Davey's lack of system, see Historical Records of Australia, Series 3, Vol. 3, pp. 327-328; (Cp. 2, p. 191). Also Calder MSS. Vol. 1, pp. 81-2, "Sydney Gazette," 21/5/22.



during his seven years of rule. He started by turning the sheep track to Port Dalrymple (Launceston) into a highway, and by penetrating the land on both sides.<sup>14</sup> The mountainous west was left alone but settlement in the Esk district commenced. At the same time, the ranges of the extreme south-west were threatened by the occupation of Port Macquarie with large settlers.<sup>15</sup>

This opening of the country<sup>16</sup> was both aided by and helpful to emigration, for Van Diemen's Land at this time attracted more settlers than the mainland. By 1818, applications for land<sup>17</sup> had become so numerous that all were suspended for a year. The consequence was that the population trebled under Sorell and that farms spread to the inferior lands of Epping Forest as well as to the luxurious Macquarie Plains. The pastoral industry also kept pace with this expansion, although, until Macquarie sent over 300 of the improved Macarthur merinos in 1820, the sheep were very ordinary Teeswaters, raised with "the single object of supplying the stores with meat."<sup>18</sup> Although nearly half of the merinos died on the way, the distribution of the remainder in July, 1820,<sup>19</sup> had an immediate effect<sup>20</sup> so that the flocks spread over the eastern half of the island and, since there was a scarcity of sheep in the mainland, settlements were pushed even to the rugged west.

The spread of the brushwood folds and sod-hut of the sheepmen was aided by the system of "Tickets of Occupation," by which any man could obtain a permit "describing

14. For Beaumont's important journal, see *Historical Records of Australia*, Series 3, Vol. 3, pp. 586-589 and note on p. 592. His track is reconstructed on fig. 10.

15. Curr (1824), p. 25; for surveyors' journal, see *Historical Records of Australia*, Series 3, Vol. 2, p. 680, et seq. By 1823, there were 30 or 40 settlers, "chiefly with large grants of land."

16. For the extension of markets, see MS. Letter Book of J. & M. Lord (Mitchell Library, Sydney), entries for 9/10/19, 5/1/20, 22/8/20.

17. The form of application is given in *Historical Records of Australia*, Series 3, Vol. 3, p. 930. See Evans (1824), p. 136. For suspension, see *Historical Records of Australia*, Series 3, Vol. 3, p. 955. For rivalry with N.S.W., see "Sydney Gazette," 10/7/23, 28/8/23.

18. The original sheep had been introduced by Paterson. Three Spanish rams were sent in 1805, but the effect lost. (*Historical Records of Australia*, Series 3, Vol. 3, p. 251).

19. *Historical Records of Australia*, Series 3, Vol. 3, pp. 184-5; Macquarie-Sorell, 8/3/20; Sorell-Macquarie, 12/9/20.

20. Dixon's MS. Diary (Mitchell Library), entry for 1/8/21.

in very general terms the tract of land that he is to occupy.”<sup>21</sup> Sorell favored the expansion and, to foster an export trade, commenced to buy the wool at a fixed price of fourpence per pound. Previously the wool had been left to rot outside the stockyards but, after its worth was thus realised, it was regularly exported. In the twenties, therefore, the flocks increased from 182,000—and this was an exaggerated estimate—to over 663,000 and, by 1829, the island was exporting more wool than all of New South Wales.

These were the gains of Sorell's period, but there was another side to the picture. Sheep-stealing was organised into “a most complete system” throughout the island. Individuals frequently lost 1000 head in a single year and the robbers became so audacious that the sheep were marched off in flocks of 500 or even 600 at a time. To mark sheep was a mere waste of energy, for brand-blotting had been reduced to a fine art; and, as no means existed to try them,<sup>22</sup> the thieves were quite open in their looting. When the depredations were at their height (1817-20), only four men were arrested in three years, because they had to be sent 800 miles away to Sydney. Until 1823, the island had no court of criminal jurisdiction<sup>23</sup> and it was estimated that, even with adequate legal sanctions, at least 500 extra soldiers would be needed for this menace alone.

The agricultural position also became difficult when free immigration commenced on the mainland. While there had been drought in New South Wales and distress at the Cape, the island farmers had obtained up to 10/- a bushel for their produce but, with the expansion of the mainland farming in the good seasons after 1824, produce fell to 4/-<sup>24</sup> and even at that price, there was no market. To ship grain to England

21. For the attitude towards wool, see Evans' “*Voyage à la Terre de Van Diemen*” (1823), p. 132. Cp. Blue Book for 1829, in Arthur's despatch of 17/8/30. See evidence before Bigge, in Historical Records of Australia, Series 3, Vol. 3, pp. 250, 320. Cp. Curr (1824), for Government's attitude. The exports in 1831 amounted to more than 1½ million pounds and the wool, instead of realising fourpence, was worth from 2/1 to 2/11. Local or currency rams were worth £15 and ewes 22/-.

22. Calder MSS. (Melbourne Public Library), Vol. 1, p. 132; Curr (1824), pp. 35-40; Sorell-Bigge, 19/11/19; Arthur-Bathurst, 14/9/25; Historical Records of Australia, Series 3, Vol. 3, pp. 201-8 (evidence before Bigge).

23. Calder MSS., Vol. 1, p. 83, letter of Gregson to Lt. Governor, 11/12/28. Tells of two notorious sheep-stealers tolerated “on account of their defiance.”

24. Calder MSS., Vol. 1, p. 151. Letter of F. Simpson, 22/3/24. Cp. Bischoff “History of V.D.L.” (1832), pp. 91-2.

was out of the question, for, apart from the expense of the voyage and the market fluctuations, there was a duty of 5/- a quarter.<sup>25</sup> The close of Sorell's administration therefore found the settlers "generally in very straitened circumstances."<sup>26</sup>

At the same time, it was becoming increasingly evident that the prolific land grants of the past had resulted in a monopoly. "One or two of the most opulent houses" controlled finance while most of the alienated land was "in the hands of a few individuals."<sup>27</sup> Arthur in 1825 found "all the best tracts which are comprised within the spacious valley extending from Hobart Town to Launceston" granted on the easiest terms. Moreover, the Government could not interfere, even when the abuses were most manifest.<sup>28</sup> A premium was placed on fraud in a country where there were no correct maps or plans, where even the Surveyor-General was dismissed for speculation, and where errors in the survey had been perpetuated for more than twenty years.<sup>29</sup> The consequence was that by 1828, when the Horse Guards issued regulations to attract new settlers, only the inhospitable country between the mountains and Port Macquarie was left.<sup>30</sup>

At the end of the twenties, the island thus had a flourishing wool industry menaced by bushrangers and a languishing agriculture destroyed by slovenly methods and the lack of a market. Ever since the local authorities had received power to allocate lands without reference to Sydney (1820), affairs had drifted. No grants were issued for eight years and, when they were, doubts arose as to their legality. No quit-rents had ever been collected and restrictions existed only on

25. If the price exceeded 67/- a quarter. The farmer summed the position up thus, "You may try to find a market in the East Indies, Brazil, or anywhere you please, but, if you attempt to compete with your fellow-subject, the English farmer, we will, by tax, effectually punish your presumption."

26. Arthur-Bathurst, 10/8/25.

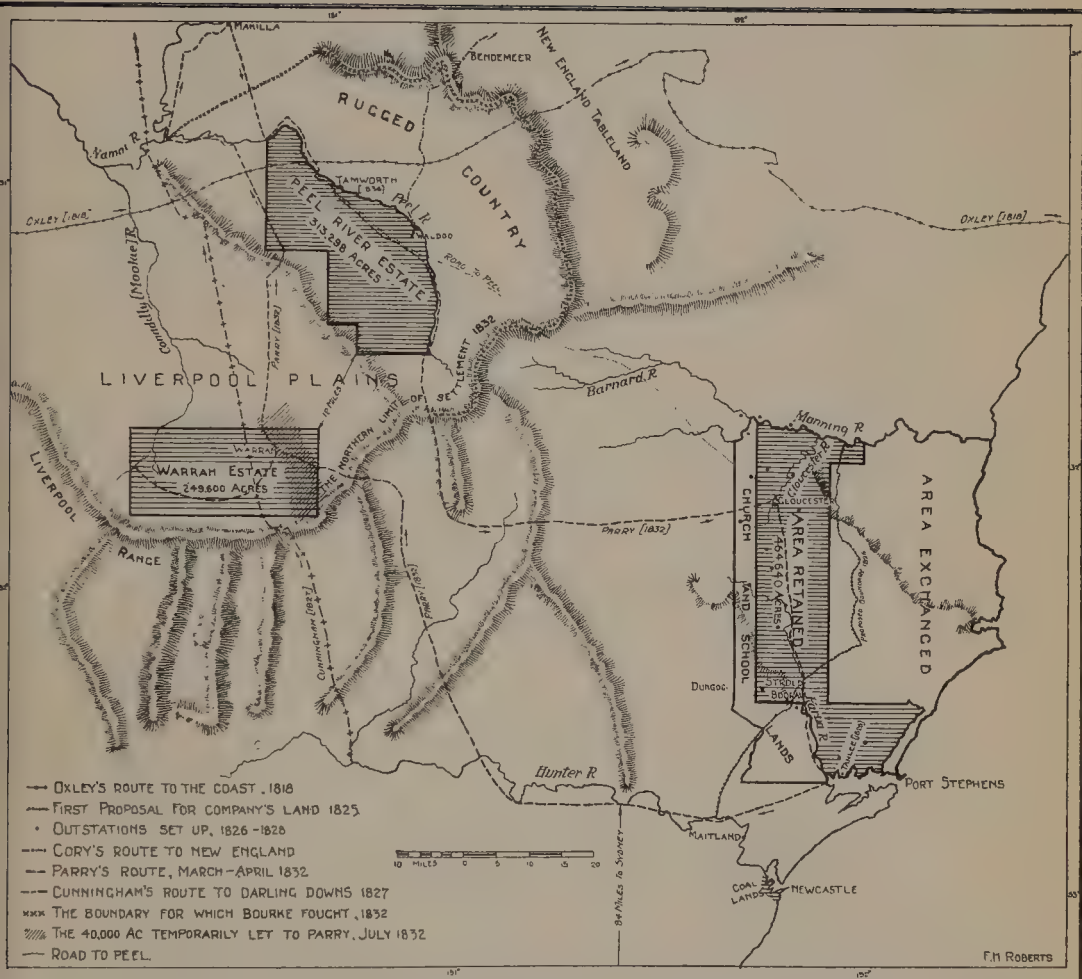
27. Arthur-Bathurst, 7/5/25. Macquarie had insisted on small grants. See Arthur's despatch of 11/8/25.

28. Arthur-Bathurst, 10/8/25.—"Making cultivation a condition in the grants, unless some means are devised for relieving the cultivator of his produce, is absolutely nugatory."

29. A Land Board, appointed in 1828, could do nothing. See Arthur-Bathurst, 14/9/27, encl. 1; 8/3/26 (Commissioners appointed to survey and value; report in despatch of 12/7/26).

30. Report of Commissioners in Arthur's despatch of 16/4/28. "The western country alone presents an asylum to them, as well as all other emigrants." Cp. Parker's "Rise, Progress and Present State of Van Diemen's Land" (1833), p. 133.





MAP TO SHOW THE ACTIVITIES OF THE AUSTRALIAN AGRICULTURAL COMPANY.





paper.<sup>31</sup> Tickets of occupation had become inadequate, while the system of letting public lands by auction (1828) produced little response. Convicts, by the system of "thirds,"<sup>32</sup> were acquiring stock illicitly and, since the "fairest portion of the island" had been granted, immigration declined from 1828 onwards.

By 1830,<sup>33</sup> therefore, with a population of 20,015, there was a cultivated area of only 55,976 acres. Land was still being recklessly granted at an average of 170,000 acres a year (1828-31) and 40,000 acres were being sold annually.<sup>34</sup> To the end of 1831, 1,531,815 acres had been alienated and Arthur was to double this within two years. Waste and confusion, monopoly and distress made the island a happy hunting-ground for the Wakefield theorists.

## II.—*Swan River.*

Western Australia (Swan River) was the third of the colonies in point of time and was important at this stage not so much as a colony but as an object lesson of the old colonial methods which "the theorists of 1830" attacked. The settlement presented an example of a colony strangled by the excesses of the initial years and, until the revival at the end of the century, its history was marked by long-continued lethargy.

After Captain Stirling had examined the Swan River country in March, 1827, and after the botanist Fraser had indulged in rhapsodies on "the evident superiority of the soil,"<sup>35</sup> the Home Government resolved to anticipate French designs by founding a colony.<sup>36</sup> Various schemes were pro-

31. Solicitor-General's three reports on land question, dated 25/5/30, 1/9/30 and 14/6/31; Arthur's despatch of 18/2/32; Cp. Melville's "Van Diemen's Land" (1833), pp. 122-6, and Government notice of 31/1/32.

32. This was a plan by which convicts were paid for their labor by a third of the increase of flocks. "Hobart Town Gazette," 10/8/25, 7/10/26; Arthur-Bathurst, 25/10/26, 18/4/28. It was forbidden, "as affording the means for secreting Stolen Stock." Bathurst-Arthur, 5/3/26.

33. For the land position after separation from New South Wales, see Bathurst-Brisbane, 28/8/23, and Bathurst-Arthur, 28/7/25; for previous delegation of powers, see Historical Records of Australia, Series 4, Vol. 1, pp. 338, 935, and Series 3, Vol. 3, p. xiii.

34. R. M. Martin's "Colonies of the British Empire" (1839), p. 454, for detailed table.

35. March 6-21, 1827. Report in Historical Records of Australia, Series 3, Vol. 1, p. 13.

36. Parliamentary Debates (Great Britain), Series 3, Vol. 10 (1832), col. 3. Cp. Collie MSS. (Federal Parliamentary Library), letters of 29/4/29 and 9/6/29. Contrast Ripon's repudiation in despatch of 11/7/40 in Accounts and Papers, 1840, Vol. 33, p. 93. For the vacillations of the Government before the actual decision, see Battye's "Western Australia" (1922), p. 6.

posed. Two gentlemen wanted a proprietary charter<sup>37</sup> and a syndicate of four asked for a grant of four million acres in return for the introduction of 10,000 small farmers.<sup>38</sup> But the Government refused the one and broke up the other by its modifications. One member of the syndicate, Peel, was left to proceed alone.

The administration therefore stepped in and at once commenced to alienate the land recklessly, at the rate of 40 acres for every £3 invested (the "Old Terms" of December, 1828).<sup>39</sup> Not until 1830 was this ratio diminished, although two new sets of regulations in 1829<sup>40</sup> introduced reasonable conditions of cultivation and effective punitive sanctions. In addition to these three codes, there were other factors in the land policy of the young colony. Civil and military officials were allowed to accept land in lieu of salaries, the Governor, Stirling, leading the way with a grant of 100,000 acres.<sup>41</sup> In addition, there was Peel who had stepped into the place of the syndicate.<sup>42</sup> After protracted negotiations, he had obtained a priority right over 250,000 acres, with increments up to a million acres in proportion to later investments. But it was understood that, if he failed to land 400 settlers before November, 1829, he was to be entitled to no advantage whatever.<sup>43</sup> Peel in his turn,

37. Stirling and Moody. Murray refused the request (1/5/29), because "more immediate control" was desired. Parliamentary Debates, N.S., Vol. 21, col. 913.

38. Accounts and Papers, 1829, Vol. 24, pp. 3-11, for full correspondence. The Government proposed half a million acres when the first ship arrived, and another half million in proportion to investments "at the original rate of 1/6 per acre." Moreover, the public were to be admitted on equal terms. See series of articles in "Swan River Guardian," 2/3/37 et seq.

39. In full in Accounts and Papers, 1829, Vol. 24, p. 7, or W.A. Year Book, 1902-4, pp. 22-23. Two hundred acres were allowed for every laborer introduced, and the only condition was that lands had to be improved before 21 years had elapsed. Throughout, the basic idea was "to preserve the Exchequer from any expense in conveying settlers or in supplying them with necessaries after their arrival." This phrase occurred in the first four codes.

40. Regulations of 13/1/29 and 3/2/29, the former allowing only 10 years to cultivate the land and imposing a fine if one-third were not cultivated within three years, the latter allowing resumption of unimproved lands even within the 10 years of grace. To heighten the confusion, these regulations were to apply only to settlers arriving before the close of 1829. See Accounts and Papers, 1836, Vol. XI, pp. 754-5, or "A Geographical Description of Australia" (1830), pp. 1-6, or J. G. Powell's "The Narrative of a Journey to the Swan River" (1831), pp. 155-57. The first arrival was on June 18, 1829, and the first regulations proclaimed within the Colony on August 28. See "Third Series: Letters from Swan River" (1830), pp. 17-20, or Powell, pp. 166-180.

41. Accounts and Papers, 1829, Vol. 24, p. 11; "Swan River Guardian," No. 2, 13/10/36. See map No. 2 in Battye (1922) for W.A. Lands Department map of the actual sites. Cp. fig 10.

42. Peel-Twiss, 28/1/29, in Accounts and Papers, 1829, Vol. 24, p. 9.

43. Even with these restrictions, the terms were said to constitute a monopoly. Parliamentary Debates, N.S., 1829, Vol. 1, col. 193. Cp. "Quarterly Review" for April, 1829.

issued a set of land regulations providing for farms of 200 to 1000 acres. The novel feature of his plan was that laborers were indentured for five years but were to be settled on small blocks after three years of that term.<sup>44</sup> Peel thus provided for a hierarchy of middle-class farmers and small peasant proprietors and, assuming that the indenture could be enforced, allowed expansion in proportion to the growth of the settlement.

There were thus four sets of Government land laws and one private code, alike only in their common fate. All went awry. Not one of the premises on which the arguments were based was true in fact and not one of the clauses of the land regulations resulted in settlement. Adverse circumstances combined with inappropriate theory to retard development.

The land itself was forbidding. In place of the grassy undulating plains expected, most of the land near the coast was sandy soil, "a miserable region, scarcely more valuable for the purposes of cultivation than the deserts of Africa."<sup>45</sup> On the horizon, the granite mass of the Darling Hills prevented advance and confined the settlement for the time being to the arid coastal region. The banks of the Swan and the Canning were soon taken up and the startling position was reached that, in a country where land was virtually given away, "want of land is the chief objection."<sup>46</sup> Five months after settlement, a new arrival could find no land.

The scarcity was aggravated by the large grants to officials<sup>47</sup> who had no intention of using the land, and by the deception practised to obtain large holdings. "In almost all instances, men received a much larger quantity of land than they were justly entitled to. Every article of provisions, furniture, household effects, and even wearing apparel, were taken in account."<sup>48</sup> Dispersion, therefore, was inevitable, its

44. In full in "A Geographical Description of Australasia," pp. 30-2.

45. E. W. Lander's "The Bushman" (1847), p. 67. Cp. Collie MSS. 26/1/30. Contrast the adulation commenced in the "elaborate article" in the "Quarterly Review," April, 1829, and in the "Times" prospectus, 17/1/29.

46. Despite the fact that, by the beginning of 1830, all the land between the sea and the mountains for 50 miles south of Perth was opened to selection. Stirling's despatch of 20/1/30; see W.A. Year Book, 1902-4, p. 24. Cp. "Third Series: Letters from Swan River, 1830," pp. 15-16; Collie MSS. (Federal Parliamentary Library), letter of 9/11/29; Shaw Papers (MSS. Mitchell Library, Sydney), entry for 10/3/30.

47. E.g., 15,000 acres to Collie, and 2000 more promised. See MS. letters of 9/11/29 and 12/3/30.

48. Lander, p. 375; Irwin's "West Australia" (1842), p. 46.



naturally evil results being intensified because many settlers were "quite unqualified for such a life, knowing nothing of agriculture."<sup>49</sup> Still immigrants kept pouring in, only to add to the discontent and to swell the numbers of the disillusioned.<sup>50</sup> The young colony seemed to consist of speculators who had land and farmers who wanted land, of officials who worked for land and of traders who battered on those who were clamoring for land. Land hunger was the keynote; land use was not thought of.

Even those restrictions necessary in the social interest were rigorously opposed. For example, the restriction on river frontages and the derided "ribbon grants,"<sup>51</sup> though a source of trouble for years, were a tribute to the first Surveyor-General, Lieut. Roe. His, too, was the idea of subdividing grants and giving part over the mountains.<sup>52</sup>

But these restrictions were insignificant, for the great evil had been wrought before the first vessel left England. At the time of Stirling's first report,<sup>53</sup> when the colony was but six months old, 525,000 acres had been actually allotted, yet, with a population of 850 permanent residents, only 39 locations had been effected. "They got land and they starved."<sup>54</sup> No stronger condemnation of such principles of colonisation could be obtained than in this first report from Swan River.

49. "Extracts from letters lately written by a gentleman established on the Swan River" (1832); letter of 5/5/31, p. 33. The Shaw Papers (Mitchell Library) tell (31/3/32) of a settler who had to go 45 miles inland and who was "going to build a mansion of stone," yet only "with the greatest difficulty and almost entreaty" could his neighbors "get him to have the boundary line run between them."

50. Collie MSS., letters of 26/1/30, 9/11/29; contrast 16/8/30. Pouring in were "speculators, stock-jobbers, Jews, lawyers, doctors, suitors, tailors, poachers, etc.," and "a few farmers" who could not get land. An entry in the Shaw Papers (10/3/30) sums up conditions:—"We have lots of Jews settling here, and gents. who some time since in England rode in their carriage are now weighing out a quarter of a pound of tea and half a pound of rice." Cp. Breton's "Excursions in New South Wales, West Australia, and Van Diemen's Land" (1833), p. 33, or private letter of Stirling in *Journal of Royal Geographical Society*, Vol. 1, 1831, p. 255. "We have been suffering from the Swan mania," wrote the Governor's private secretary.

51. "Perth Gazette," 21/2/35, for report of public meeting. "I have seen two of these grants; one is ten chains wide and eight miles long, and the other is half a mile wide and fourteen miles long." Cp. Moore's "Ten Years in West Australia," p. 309. For Roe's difficulties, see Collie's MSS., 12/1/30.

52. "Swan River Guardian," 2/3/37; cp. letter of 9/9/30 in "Extracts of Letters from Swan River" (1830), p. 13.

53. *Journal of Royal Geographical Society* (1831), Vol. 1, for paper by Barrow from Stirling's report. The figures are the more to be condemned since the first grants had issued only in September.

54. "Third Series: Letters from Swan River" (1830), letters of 9/11/29, 19/1/30 and 25/1/30.

In the meantime, Peel, who had seemed an intrepid adventurer a few months before, had encountered ruin in a strange manner. He did not arrive by the stipulated date, whereupon the Governor insisted on the letter of the contract and at once threw open the land over which Peel had obtained a priority right.<sup>55</sup> On his arrival, therefore, he found himself treated as a common settler and obtained a holding of 250,000 acres stretching from the Murray to Cockburn Sound and partly to the south of his previously selected land. But, from his landing, his conduct was "inexplicable" and "capricious" and, deserted and dejected, he saw his scheme of a southern principality collapse in ruins.<sup>56</sup> His land regulations were not strong enough to prevent the escape of his laborers and he himself lacked the executive ability needed to force a way to greatness in a new colony. The Peel of the negotiations commands respect; the Peel of Swan River only a pity mingled with contempt.<sup>57</sup>

The colony thus seemed in the grip of a reaction but there were some hopeful features. Much good land was found along the rivers and, in August, 1830, Ensign Dale's passage of the mountains opened the York country.<sup>58</sup> On the coastal side, too, land was alienated in the Leschenault and King George's Sound districts by the end of 1830.<sup>59</sup>

55. Collie MSS., letters of 12/2/30, 12/3/31; Cp. Stirling, pp. 4-5.

56. The most graphic account of Peel is in Wollaston's MS. Diary (Mitchell Library, Sydney), pp. 41-42. "I passed by the ruinous huts and abortive attempts at gardens at Clarence—the spot where Peel landed his immense establishment, and where his notorious bubble burst. The scene was the most desolate, dreary and melancholy imaginable—a single grave surrounded by a fence showed where a white person had perished. I need not describe Peel's well-known expedition. I will only add that the beach is to this day (January, 1841) covered, above and below the sands, with almost every description of decayed, but once valuable, property. . . . I feel at a loss how to describe the residence of this notorious man, who possesses a territory around him of nearly a quarter million of acres. . . . He lives in a miserable hut, or nest of huts, built of stone and covered (not thatched) with rushes. Everything about him shows the broken-down gentleman—clay floors and handsome plate, curtains for doors and piano-forte, windows without glass and costly china—hardly any utensil put to its proper use—odd cups and saucers, coffee in a mug, handsome china bowl for washing, and, as a ewer, a toby-fill-pot beer-jug; the only looking-glass the size of a hand, and a whole pig hanging on the verandah; no bedroom exclusive as such." And deserted save for his son, his mother-in-law, and "a black servant of the ordinary kind."

57. See W.A. Year Book, 1902-4, p. 23, for Peel's later history. Cp. Moore's "Ten Years in West Australia" (diary of the thirties), p. 83. Writing in May, 1839, he tells that there was recently sold 10,000 acres—"the cream of Peel's land"—for £1250. "His immense tract of land has been heretofore almost entirely vacant." See "South Australian Record," 23/5/40. Cp. Mills' "The Colonisation of Australia (1829-42)," p. 68, footnote, for Morgan-Hay, 4/5/33.

58. Stirling-Barrow, 13/3/31. See J. Cross' "Journals of Expeditions made in West Australia, 1829-1832" (1833), p. 6; article in "Inquirer" (Perth), 14/10/98.

59. Alienated, but not cultivated. Collie MSS., letter of 12/3/31.

But the root fact remained that 1,200,000 acres had been alienated and only 160 acres were cultivated. Land was now a drug and could not be sold at any price. The new regulations (July, 1830) were too late with their restrictions<sup>60</sup> and the farmers were "nearly mad with melancholy."<sup>61</sup> In 1831, the chief characteristic of the colony was "an unavoidable lack of energy and activity" and the Swan River settlement had amply proved the folly of large grants<sup>62</sup> and dispersion of settlement.

60. For those settlers who arrived after 1830. They halved the amount of land given, doubled the fines for defaulters, and allowed only two years within which to commence improvements. The regulations, with lengthy comments, are in Powell's "The Narrative of a Journey to the Swan River" (1831), pp. 119-160.

61. Cp. Shaw Papers (MSS., Mitchell Library, Sydney), 14/3/30. "The greater part of the emigrants are horror-struck and dismayed."

62. Including Latour, 103,000 acres; Peel, 250,000; Stirling, 18,850; Bland 8,000; Leake, 14,887; Lamb, 8,119. See graph in fig. 21, for the weakness of the situation.

## CHAPTER 6.—THE GREAT COMPANIES.

One other element entered the colonial situation at the close of the twenties, for, since 1824, there had been great companies exercising a most important influence on Australian settlement. Although given an impetus by the furious commercial activity of "the great bubble year," 1825, the two greatest had been planned before this. Both the Australian Agricultural Company and the Van Diemen's Land Company had charters and powers defined by special Acts of Parliament.

Both opened up extensive new territories, the one the north of New South Wales, the other the far more isolated north-west of Van Diemen's Land. Both explored unknown country and employed much capital in developing the land. The introduction of £300,000 to New South Wales and £170,000 to Van Diemen's Land wrought immeasurable results, especially because this expenditure came just when free enterprise was increasing.

Both, too, experimented with indentured and convict labor and aided free emigration. Both performed a vital function in improving the breeds of stock just when Australia was commencing to oust Germany and Spain from the English markets; and it is little exaggeration to say that to the second is owed the high quality of the stock of three States to-day.<sup>1</sup>

Both were important constitutionally, for the company was an *imperium in imperio* and the questions raised as to its relations with the Government frequently led to new policies, for example, on such matters as quit-rents and assignment, police protection beyond the boundaries, treatment of tenants, control of the towns which sprang up, the building of roads, and the treatment of frontier districts in general.<sup>2</sup>

Both aroused the attention of the capitalist classes in

1. "Tasmanian Journal of Agriculture and Horticulture," 1/7/59.

2. Curr's outgoing despatches (MSS., Burnie, Tasmania), 6/2/35; Franklin's despatch of 9/1/39.



England and the reading classes in Europe to the colonies as fields for enterprise, just when the Wakefieldians were commencing their campaign and the French colonial party was reviving. As a French writer (Pilorget) wrote in 1832,<sup>3</sup> their first and most striking effect was "to awaken public attention and to direct it towards Australia."

Both, therefore, provided an impetus to the pastoral expansion of the thirties. At first they produced a boom in stock values throughout Australia, but, despite the pricking of the bubble by the drought of 1828, much solid advance had been rendered possible. The squatters gained both as a result of the interest aroused by the companies and by the breeding stock raised by them.

Both companies, too, turned to tenantry schemes, especially the Tasmanian company, which succeeded in making the best of its lands object lessons in closer settlement. Moreover, although the mainland company has disintegrated more completely, the last stages in both corresponded, for against both were cries of monopoly raised, and both were hardly hit by recent land taxation.

The history of the chartered companies is, in short, one of the most instructive portions of Australia's land policy, especially in the earlier years when the negotiations regarding exchange of their lands threw much light on the policy both of the Home and the local authorities, and when the colonies in general derived benefit from the investment of capital.

#### I.—*The Australian Agricultural Company.*

Bigge had urgently recommended a joint stock venture to develop the fine-wool industry in Australia and, even in 1820, the proposal was known as the "Australian Agricultural Company."<sup>4</sup> In 1824, however, the decisive steps were taken and, possibly because twenty-seven of the original shareholders were members of Parliament,<sup>5</sup> an Act was passed and a charter granted within five months of the first suggestion.

The purpose was stated to be "the Cultivation and Improve-

3. "*Histoire de Botany Bay*," p. 233. "*Le premier effet de cette entreprise gigantesque fut d'éveiller l'attention publique et de la diriger vers l'Australie.*"

4. Bigge's Third Report, p. 18; First Report, p. 166.

5. Ruthven's "List of Proprietors" (1828). The shareholders included Brougham, Wilberforce, Chief Justice Forbes, Macqueen, Bigge, Oxley, and eight of the Macarthur family. J. F. Campbell, in *Journal of Australian Historical Society*, Vol. 9, 1923, p. 118, gives a summary.

ment of the Waste Lands in the Colony of New South Wales,"<sup>6</sup> although the production of fine wool was emphasised in view of the fact that Germany's exports of that commodity had increased thirty-fold since 1800.

In the Charter itself no actual amount of land was specified but the land was valued at 1/6 an acre—a low price, since Bigge had recommended sales at from 7/6 to 10/-. There was an annual quit-rent after the first five years, but this was to be remitted if convicts were maintained. In addition, there were checks on alienation.<sup>7</sup>

Under these circumstances, the choice of a site became the matter of most importance to the Company. Although three districts in the colony were being opened up at this time, the representations of Oxley and some of the colonial shareholders led to the settlement of the North.<sup>8</sup> The general region was thus chosen without any trouble; it was the question of the actual position within that region which caused the trouble.

Operations commenced at once, a license of occupation being given until the blocks were surveyed. In January, 1826, therefore, Dawson, the Company's Agent, pitched his tent on the shore of Port Stephens.<sup>9</sup> His position was undoubtedly difficult, but there can be no excuse for his neglect of the land beyond the chains of hills which hemmed him in. He confined his activities to setting up farms on the Stroud rivulet, posting out-stations to the Manning, and collecting his stock in Gloucester Vale, the handiest site. By the middle of 1827, he had 301 men (of whom 204 were convicts), 1,500 cattle and 6,300 sheep.<sup>10</sup> But there matters languished, for, having decided on the coast lands, he did not go further inland.<sup>11</sup>

6. Charter enclosed in Bathurst-Brisbane, 17/4/25. The first notification to the Colonial authorities was in Bathurst's despatch of 13/7/24. The Company's first proposals are in Bathurst-Brisbane, 18/5/25, the points there emphasised being £1,000,000 capital; a million acres; no rivals for 20 years; to encourage emigration; production of merino wool.

7. The quit-rent was 1½ per cent. redeemable at 20 years' purchase, and to be remitted if 600 convicts were employed in the second five years, 1,000 in the third, and 1,400 in the fourth. All was to be remitted if £100,000 were spent on convict maintenance. So that the Company was to provide an experiment in convict maintenance on a large scale. No land could be sold until five years had elapsed, and £10,000 spent, and, even then, only one acre for every 5/- spent, and a total of not more than half the grant. See "A.A. Company's Plan" (1826).

8. Bigge's Third Report, p. 18; First Annual Report of Company, p. 19; Oxley's Report of 4/11/24, in Report to Special General Court of Proprietors, 21/7/25, pp. 35-6.

9. Third Annual Report, 26/1/27, pp. 9-10.

10. Fourth Annual Report, 29/1/28. The area surveyed was 1,048,960 acres, the extra being given for the "unproductive sea coast."

11. He "placed the establishment in a swamp, and opposite a mud flat in the sea," complained Macarthur. Cp. Gregson's "Fifty Years of the A.A. Company" (1906), p. 27, for this apathy.

The result was that, within three months of the completion of the survey (January, 1828), Dawson was suspended, for the position was deplorable.<sup>12</sup> Sir Edward Parry, the famous Arctic explorer, who succeeded him, found "extreme disorder" everywhere. The land itself was disappointing—the outskirts useless, the centre "rocky, precipitous and sterile," the rich Gloucester flats so wet as to be ruinous for sheep.<sup>13</sup> The settlements consisted of a row of cottages; the first of the farms had 20 acres cropped in return for an expenditure of £2,000; the sheep had footrot; the convicts and shepherds were almost to a man shoeless; the settlers were wretched; and everywhere there were useless sinecures.<sup>14</sup>

For years, therefore, there was a struggle against all kinds of obstacles. A three years' drought set in and caused losses so huge as to imperil "the very existence of the Company." So bad were the native raids that the shepherds were given muskets; they were used in bushranging on the Stroud road. Sheep and cattle were driven into the bush and the fleece stolen from the sheds and the Port. The losses in sheep alone averaged 1300 per quarter, and the flocks of 12,290 increased by only 225 in the first two and a half years of Parry's rule.<sup>15</sup>

But most troublesome of all the difficulties was the human factor, for Parry's relations to the Government and to his dependants were vague.<sup>16</sup> Towns were laid out<sup>17</sup> and all kinds of governmental functions exercised. Schools, jails, hospitals, police, all came within his purview, and he had to supply school-mistresses and run down bushrangers, to evict rum-runners and to conduct religious services. It was a most troublesome task to manage a community of over 600 persons, especially when

12. "The affairs of the A.A. Company" (1833), 33 pages (Mudie), pp. 26-27, for Macarthur's report of 14/5/28. See Gregson, ch. 3, esp. p. 35.

13. Parry's MS. Journal (Mitchell Library, Sydney), 10/3/30 (for non-existent rivers); Seventh Annual Report, 1/2/31, pp. 5-6.

14. Parry's Journal, 9/1/30; 31/3/30; 11/3/30 (Shepherds); 10/9/30 (sinecures); 10/5/30 (Settlers: "Nothing in the way of description can adequately convey an idea of the state of dirty wretchedness and want of comfort in which they live"). Dawson wrote a lengthy "Statement of his Services," but it is difficult to see wherein they lay. See appendix to Macarthur's Report of 13/3/28.

15. Eighth Annual Report, 31/3/32, pp. 5-10; Parry's Journal, 2-3/8/30; 6/10/30; 22/5/32.

16. Sixth Annual Report, 20/1/30, p. 6. Prior to this there had been a Colonial Committee, but its dissolution left Parry unhampered.

17. E.g., Stroud and Dungog. Dumaresq laid out Tamworth in 1834. See "Sydney Morning Herald," 7/11/18.



the Sydney government was adopting a less complacent attitude, and when the directors were frantically calling for economy.

The labor question was difficult in every way, for, if the convicts were difficult to control and had no incentive to work, the free servants were even more "idle, dishonest, and unmanageable."<sup>18</sup> Parry's scheme to give gratuities to the most energetic<sup>19</sup> failed because none were energetic! Men even plotted to commit crimes for, in that case, they were subpœnæd in scores to attend at Sydney. Moreover, unsatisfactory as this labor supply was, it was insufficient, for Bourke, hindering the Company as much as Darling had aided it, would not grant enough assigned men.<sup>20</sup>

Thus, early in the thirties, the Company's colony in Gloucester county—the northern outposts of the "limits of location"—was undergoing a difficult time of probation. To make matters worse, it was just at this time that the question of the grant became acute.

While the rich flats of the Gloucester could be used, the land between the river and the sea was useless, and the question of an exchange had been mooted almost at once.<sup>21</sup> This entailed much exploration, for the country was practically unknown. The standard chart by Cross (1829) had nothing in this direction except the Karuah while, even as late as the mooted exchange of 1831, the maps in the Surveyor-General's office "contained nothing whatever near Liverpool or Goulburn Plains, or any of the country lying between these and the Company's present grants."<sup>22</sup>

The Company, therefore, had to organise expeditions on an extensive scale, although Murray's consent to the exchange

18. "The Affairs of the A.A. Company" (1833), p. xxvi.; Parry's Journal, 13/6/21. "A miller's wife with a harp and a piano, and the Company to find a house to correspond therewith."

19. Parry's Journal, 11/3/30; 28/4/30.

20. Parry's Journal, 8/12/31. Two questions continually cropped up; "the police question and the want of men." The Company had 402 assigned men in 1831, yet only 332 in 1834. Bourke promised 150 more, but there the matter ended.

21. Third Annual Report, 20/1/30, pp. 8-9. This was made "a point of primary importance in the instructions to Sir Edward Parry."

22. Parry's Journal, 23/2/31. Cross' 1825 map has nothing above Port Stephens; the 1829 map has the Karuah, and the description "grassy ridges." Various persons knew one section of the country. Thus, Macarthur emphasised beyond Bathurst; Mitchell, Moreton Bay; Cunningham, the Darling Downs. Nobody knew of the country immediately beyond Gloucester.



made the expenditure perfectly safe.<sup>23</sup> The series of expeditions arranged by Parry spread over an area of roughly 23,000 square miles, from the Hunter to the Hastings, and inland as far as Parry's River. The leading spirit was Henry Dangar, an ex-surveyor, who had helped to define the Company's grant in 1825.

After reconnaissances to the south, north, and near west, "without the smallest success in the discovery of available Land,"<sup>24</sup> Nisbet and Dangar were sent further afield in the direction of the Liverpool Plains (July, 1831).<sup>25</sup> Crossing range after range of "rough and useless country" both going and returning, they stopped just on the verge of good land. It speaks well for the Company's servants that, within a few months (November), Dangar was again sent over the western ridges, this time pushing past his previous stopping place on the Peel headwaters and reaching the Namoi. He thus discovered the fertile Warrah lands,<sup>26</sup> described by Parry as "a most splendid country, not a single acre on which sheep may not feed." So inviting were the rich and well-watered downs that already eleven cattlemen had pushed through from the south, although the Namoi bend was a hundred miles from the northern limit of location.

Parry at once marked out two tracts within this circle of new land, one along the Peel, and the other nearer the Liverpool Ranges,<sup>27</sup> and both so admirably chosen as to render useless much of the neighboring land.

It was necessary to secure the consent of the Governor, but here entered the influence of the Surveyor-General, Mitchell, who wished to safeguard the interests of the settlers who were pushing across the Manning into the new Port Macquarie dis-

23. Murray-Darling, 21/4/30. 4 to 600,000 acres to be taken "in one or more locations in the interior of New South Wales," but in not more than three blocks altogether. The reason for the change was "that the Company's just interests require some relaxation of the first arrangement."

24. Dangar into the coastal forests south of the Manning (Parry's Journal, 17/7/30; 30/7/30); then Parry himself, to the Barnard River country to the north-west (Journal, 8/3/31); then Nisbet to the west early in 1831.

25. Parry-Bourke, 15/6/32. The Surveyor-General knew nothing of the Plains—a most remarkable circumstance, in view of the fact that the reports of Oxley (1818), Dangar (1824), and Cunningham (1827) should have been in his office. Cp. Parry's Journal, 23/9/31. See Campbell's article in Journal of Australian Historical Society, Vol. 9, 1923, p. 134.

26. Parry's Journal, 15/3/32; account of his own journey in 1/3/32-16/4/32. See fig. No. 14. The land consisted of gently undulating plains and long valleys, with "a rich black mould" for soil, and "thick and luxuriant" herbage.

27. Special Report, 12/10/32 (pamphlet). The two comprised about 600,000 acres.

trict. It was unfortunate that two strong men, Parry and Mitchell, should have advanced diametrically opposed arguments, both of them logical and convincing. The one was fair in looking to the needs of the future, the other in arguing that the Company had spent over a quarter of a million pounds, that not one dividend had been declared, that they had opened 3½ million acres of unknown lands, and that a priority of choice was but a fair recompense.

This clash of opinions became noticeable at Parry's conference with the Governor in June, 1832—a meeting which throws more light than any other on the aims and methods of land policy in the early thirties.<sup>28</sup> The questions raised touched matters of general policy, the more so because that general policy was even then being adjusted to the needs of the squatting position.

Several grave questions therefore emerged. Should a body of capitalists who had done yeoman service in opening unknown land be accorded a free or a fair choice, fairness to be determined by the needs of the small settler of the future? Should the rights of existing cattlemen be safeguarded? The last point was most important for, if Mitchell decided to uphold the claims of the squatters on the Namoi, then he was recognising the same occupation by the stockowners who were at that moment defying the Government and pressing to the Murrumbidgee and the Macleay. Grave issues were at stake.

The conference ranged round these two points. Bourke refused the Company's demand for two blocks, one following the river and the other so placed as to render the land between it and the range useless. He urged Parry to fall back to one block crossing the Peel to the ranges, but the Company's arguments were that the river could not be forded, that the land beyond it was "incapable of supporting Man, Sheep, or Cattle," and that the proposal would really cut the Company away from the Liverpool Plains. Parry, failing to see the application of Bourke's discourse on the benefits of mountain pastures in Spain, would not compromise, although the need of providing for future settlement was evident.

28. There is a long account of this important conference (not mentioned by Gregson) in Parry's Journal for 4/6/32. But a far more discerning account is given in Dangar's minutes, dated 5/7/32. A summary is in Smith-Goderich, 16/11/32. See Ninth Annual Report, 29/1/33. Dangar's minutes might be taken as a text for a disquisition on the land policy of this period.

Mitchell, too, emphasised the injustice of evicting the cattle-men whom the Governor termed "squatters." Here, the logic of the position lay with Parry, for these squatters<sup>29</sup> had not the slightest atom of legal right<sup>30</sup> and belonged to the same type of men whose southern expansion Mitchell was trying to prevent.<sup>31</sup>

Thus the issues stood when Bourke conceded a temporary "license of occupation"<sup>32</sup> for the Warrah lands. Further inquiries proved that the country between the Peel and the range was most precipitous with only a covering of gnarled box. Therefore, both sides modified their attitudes. Parry agreed to take land on both sides of the river, if the whole of the rocky ridges were not forced on him, while Bourke agreed to let the Company occupy the desired Liverpool Plains, on condition that the southern range was the boundary.<sup>33</sup>

But neither of these consummations took place, for the influence of the directors at home secured the consent of Goderich,<sup>34</sup> the Secretary of State, to the original proposal. The Company thus obtained three locations chosen as it pleased. It took 313,298 acres on the Peel without crossing to the mountain fastnesses or the inferior country, a rectangular shape of 249,600 acres in the heart of the Liverpool Plains, and a part of the original grant stretching along the Gloucester river flats, from the Manning to Port Stephens.<sup>35</sup>

This achieved, the Company commenced its policy of development. Parry had settled the exchange and restored order to the administration, so that the way was clear for his successor, Dumaresq, to adopt a forward policy on this basis.

29. For list of dispossessed squatters, see Parry's Journal, 10/3/34. On Warrah, there were 7 runs with 8,200 head of stock, and on Peel River 4 with 3600. Cp. Hawkesbury Benevolent Asylum MSS. (Mitchell Library, Sydney) for deposition that Dangar absorbed the Society's run.

30. Mitchell's arguments were thus summed up: he "dwelt much on the propriety and expediency of making ranges the boundary of large selections"; "the inadvisability of occupying all the heads of the plains"; "the impossibility of future settlers finding grants there"; "the inexpediency of increasing the extent of the colony." Parry's Journal, 26/12/29; 4/6/32.

31. Parry-Bourke, 15/6/32, in Bourke's despatch of 17/9/32. Cp. Parry's Journal, 4/6/32; Ninth Annual Report, 29/1/33; also report of deputation to Goderich, 21/11/32.

32. Colonial Secretary-Parry, 27/7/32; Bourke-Goderich, 6/5/33; described in Colonial Secretary-Parry, 20/8/32; Journal, 15/9/32.

33. For negotiations, see enclosures 1-5, to Bourke's despatch of 6/5/33. Parry would have accepted 348,345 acres on the Peel, and 193,735 elsewhere. He thus withdrew from the stress on Warrah which had been so evident in the June conference.

34. Goderich-Bourke, 23/3/33.

35. Described in detail in Twelfth Annual Report, 2/2/36. See map in Bourke-Goderich, 17/9/32, for faults of Warrah block, from the Government's standpoint. For the Port Stephens land, see special report, 2/4/57, appx. 4, and "New Zealand Journal," 5/5/49. Also half-yearly report, 10/2/74, pp. 16-7.



Firstly, there was great stress on the Company's primary aim of stockraising, for, early in 1833, all was ready for the stocking of the new country across the ranges.<sup>36</sup> Sheep were placed on the Peel River and cattle on Warrah, and the wool shipments, which had commenced in 1828, steadily grew larger. The chief difficulty was that of communications, but it diminished when mules and asses were imported *en masse* from South America.<sup>37</sup> Wool laden asses, led by Peruvian and convict muleteers, then became a familiar sight along the Hunter valley and the passes of the ranges.

At the same time, steps were taken to improve the stock from the decline which had set in and,<sup>38</sup> after 1840, the Company commenced its stock sales<sup>39</sup> which became so prominent a feature of the pastoral life of the State. Saxon and Mecklenburg rams were sent and the runs were enclosed to prevent the roaming cattle from becoming wilder and to stop the attacks of the blacks. Thus, in the thirties, sales were increasing, breeds improving, and methods becoming more scientific. The Company was running 85,000 sheep and 5,000 cattle yearly and, in addition, producing 16,000 tons of coal.<sup>40</sup>

That is, at the time when Wakefield was writing, the Company presented an example of what a judicious expenditure of capital could achieve in a new land.<sup>41</sup> The flourishing collieries, the pushing of the shepherds to the Namoi and the cowmen to the ranges, the reclamation of mountain country, the

36. Parry's Journal, 5/2/33; Gregson, ch. 6, for an account of affairs at this stage; also Eleventh Annual Report, 27/1/35. Over 6,000 sheep went to Warrah, 1/2/33.

37. Seventeenth Annual Report, 19/1/41.

38. The Company's Report (17th, 19/1/41), naively expressed it thus: "The Company never having previously disposed of any but inferior animals, an opinion was prevalent in the Colony, that they did not possess any of very superior breed." In reality, it was the reputation of the V.D.L. Company (especially at the time of the foundation of Port Phillip and South Australia), which spurred the mainland Company in this regard. For remedial steps, see Twenty-second Annual Report, 20/1/46, and appx. 4 to special report, 2/4/57.

39. The two-days' stock sales "gather some 200 or 250 of the largest breeders of stock in the Colony." Transferred from Maitland to Stroud, 1853. Thirty-first Annual Report, 26/1/55, p. 15.

40. The Government had mined coal on the Hunter since 1801, but only on a limited scale. At the commencement of their operations, the Company, after a somewhat obscure negotiation, obtained a 30 years' lease of the Newcastle coal fields, on condition of paying a toll of 5 per cent. to the Crown. But legal objections arose to this course of procedure, and, in 1826, the Company obtained the fee-simple of some 500 acres of the deposits. Aided by Bathurst, this exchange was extended to 2,000 acres in 1828, and, ten years later, an additional area of 2,000 acres was purchased. Even Darling, who favored the Company in every way, opposed this exchange.

41. Brownrigg's MS. letter to Colonial Office, 1846 (Mitchell Library). For later history, see appendix 1 *infra*.



services rendered to the colony—all of these things strengthened the Wakefield argument just as did the Swan River failure.

## II.—*The Van Diemen's Land Company.*

In 1825, Van Diemen's Land was unsettled and practically unknown, save for a narrow strip between Launceston and Hobart Town. The maps of Evans (1822) and Cross (1825) showed no entries for the region west of the main north-south road. It is true that there were convict depots at Port Davey and Macquarie Harbor, but these were inaccessible by land. Beaumont's journey beyond the Great Lake in 1817 seemed to have been forgotten and the west was supposed to consist of "Lands Unexplored," "High Ranges of White-topped Mountains," impenetrable and useless.<sup>42</sup>

The possibilities of the island had been demonstrated, however, under Sorell, and financiers seeking a field of development turned to it, as "a country having some striking and very peculiar advantages for the purposes of pasturage and agriculture."<sup>43</sup> Early in June, 1824, therefore, it was resolved to apply for half a million acres on behalf of a chartered Company. In point of time, the Van Diemen's Land Company's application for land preceded that of the mainland syndicate by one day, although the greater backing of the latter secured a charter far earlier.<sup>44</sup> The shareholders of the island venture were in general less known than those of the Australian Agricultural Company, but were leading capitalists of the day. Sorell and Bathurst, always leaning to capitalistic ventures, supported the Company<sup>45</sup> and the only reason for delay was the official uncertainty as to whether so much good land existed in the island.

It was only in view of Sorell's positive assurance that the Secretary of State would go on; and even then he was convinced that "the whole quantity of useful land" in the north-west did not exceed half the amount desired.

42. So also Arthur's unpublished map, enclosed in despatch of 2/1/26.

43. First Annual Report of V.D.L. Company, 2/3/26, in full in Bischoff's "History of V.D.L." (1832).

44.	Meeting. . . . .	A.A. Company.	V.D.L. Company.
	First proposals . . .	April, 1824.	May 12, 1824.
	Charter . . . . .	22/5/24.	21/5/24.
		November, 1824.	November, 1825.

45. Bathurst-Arthur, 2/6/25.





But, because the colony needed capital<sup>46</sup> so badly, an Act was passed (June 1825) and a Charter granted, with provisions similar to those of the mainland company's charter. No prospectus was issued, for the proprietors were anxious that, since they were operating in a bubble year when companies were being formed for such purposes as sending Scotch milkmaids to milk the wild cattle of Buenos Ayres, they themselves "should not partake of the character of speculative Bubbles."<sup>47</sup>

The Company was not allowed to indulge in trading or banking pursuits, but otherwise had a liberty of choice. There were the same provisions regarding quit-rents and convict labor as in the case of the Australian Agricultural Company, with the difference that the new venture had its land valued at 2/6 an acre, instead of 1/6.<sup>48</sup> Five Commissioners, two representing the Company and two the Crown, were to choose and evaluate the land "in the North-West district of the island."<sup>49</sup>

Operations were commenced at once, for Curr, the first Agent, arrived at Hobart Town in March, 1826. In little over a month after the Australian Agricultural Company had occupied Port Stephens, the Van Diemen's Land Company was carrying out its settlement of Circular Head, the best port on the north coast. A party was despatched "to make selection of the

46. Curr, secretary of Company (afterwards Agent), to Bathurst, 22/3/25. Cp. Bathurst-Curr, 15/4/25. The primary aim was to rear "Flocks of sheep of the purest and finest Breed," and it was stated at a conference with Stanley that the founders "were chiefly persons connected with the Woollen Manufacturers, and who had established the Company for the sole purpose of obtaining an improved quality of Wool." (Incoming Despatches 51, 5/1/28). The references to despatches are to MSS. in the Company's Office at Burnie, Tasmania. But the Company was willing to engage in sealing, or even in erecting public works for the Government, in short, to relieve the general depression, due to the want of capital in the colony.

47. Incoming Despatches, 27, 22/3/27. Cp. "Morning Chronicle," 10/1/26. "This was not a bubble Company, nor had there ever been any trafficking in shares." Cp. Bischoff, p. 100. But 200 shares were sent out "for distribution among the respectable resident colonists," and 115 "for the Lieutenant-Governor, and other members of the Colonial Government." Incoming d. 4, 4/3/26.

48. Also one convict counted as only £16 in V.D.L., while the A.A. Company obtained £20 in calculating the rebate.

49. Bathurst-Curr, 15/4/25. Bathurst's definition of the conditions is important, for it was the turning point of the later disputes; "The V.D.L. Company will receive their grant in the North-West district of the island; bounded on the north by Bass's Straits, on the west by the ocean, and on the east and south by lines drawn from either shore, so as to afford the necessary depth of country; within that district they will be at liberty to select any ungranted land at their own discretion. These lands, however, must be in one continuous and unbroken tract, approximating to the form of a square, as near as may be compatible with preserving a clear and well defined natural boundary. The whole quantity of *useful* land, that is, of land capable of being used in pasturage and tillage, to be contained in this square in 250,000 acres. Whatever useless and unproductive land may be included in order to complete the square figure, will be granted to the Company gratuitously."



most eligible Situation for locating the Lands to be granted to the Company" and proceeded in detachments to Quamby's Bluff,<sup>50</sup> the starting point for the north-west. The ramparts of the unknown land presented themselves thirty miles off in the form of ranges which seemed to form "a barrier altogether impassable"; and so encumbered with fallen timber was the passage that only thirty miles were traversed in four days. Some 350,000 acres of the country round Port Sorell were examined, but scarcely one-tenth could by any stretch of imagination be deemed suitable for the Company.<sup>51</sup>

Preparations were made, therefore, to push still further into the western ranges but little was achieved from this side. But Goldie, the Company's agriculturist, approached the extreme north-western corner of the island from the sea (August, 1826) and found it mostly swampy forest or sandy heath country, of which about 60,000 acres were suitable for sheep.<sup>52</sup> That is, neither the eastern nor the western approaches opened hopeful prospects.

The next step was when one of the most romantic figures of convict days, Jorgen Jorgenson, accomplished a seemingly impossible task in crossing the very roof of the island and entering the desired land from the south.<sup>53</sup> In September, 1826, he penetrated beyond the Great Lake and found "a considerable extent of very fine open country of itself sufficiently large to comprise the quantity of good land which the Company is to receive." This was in reality the Surrey Hills and Jorgenson, although the credit is not usually given him, forestalled Hellyer by five months.

One more direction remained and, in February, 1827, Hellyer, the Company's surveyor, was sent south from Circular

50. General Order No. 4, 22/3/26 (MS., Burnie). These instructions were very full, and set out the Company's aims. Special regard was to be paid to the nature of the timber, and, regarding the nature of the soil, "the plentifulness or scarcity of game, particularly of Kangaroo and Emu, is a good criterion of the fertility or poverty of any district." Outgoing d. 20, 16/9/26.

51. Outgoing despatches 4 (14/4/26), and 8 (16/6/26).

52. Outgoing despatches 21 (21/9/26), and 34 (23/11/26). Curr declared this "the most adapted, *in point of situation*, of any land in the island for the purposes of the Company." Goldie's Journal is in the Company MSS., or printed in Bischoff, p. 156, et. seq. His instructions are in General Orders, No. 8, 30/8/26.

53. Outgoing d. 14 (25/8/26). The magnitude of the task may be judged from his instructions. He was ordered to go "on foot through the lakes, in a north-west direction towards Cape Grim," *via* Pieman's River on the west coast, i.e., he was really to cross the island diagonally. The reward was to be a ticket-of-leave. For report, see Outgoing d., 5/10/26, or MS. account by himself in Mitchell Library, Sydney. See fig. 15, for route.

Head. With two men and a fortnight's provisions, he plunged into the heart of the roughest country imaginable through undergrowth so dense as to shut out the light of the sun<sup>54</sup> and over "an almost impenetrable espalier-grown scrub, that a dog could not get through below." After naming St. Valentine's Peak (15/2/27)—the corner-stone of the Company's grant, he turned west and named the Surrey Hills (found by Jorgenson) and the Hampshire Hills, a park-like country with "grassy hills out of number."

This journey and the exploit of the convict Jorgenson, the former little known and the latter never mentioned outside of an official despatch, deserve to be placed among the great exploring feats. Such were the services which the men of the chartered companies rendered in opening the land, the four trips of Goldie from the west and Fossey from the east, Jorgenson from the south and Hellyer from the north making known as much of the island as had all the previous expeditions since the commencement of settlement.

The final step was when Fossey went overland (1827) to Emu Bay, thus opening a land route to the three tracts of good land in the north-west. But to obtain formal possession of these lands proved difficult.

From Curr's first landing, there had been trouble with the administration, for Bathurst's instructions to Arthur admitted of several constructions. The Governor thus claimed that the Company was restricted to the extreme tip of the island, while Curr claimed a power of selection between Cape Grim—the tip—and Port Sorell. On the faith of Curr's assurance that Bathurst meant to give such a right, Arthur, against his own conviction,<sup>55</sup> allowed a liberty of selection. (March, 1826).

54. Hellyer's Journal is in the Company's papers, or Bischoff; a summary is in the Third Annual Report, 18/3/28, pp. 115-121. Some idea of the nature of this land may be gauged from the fact that much of it has never been penetrated, and nobody has been able to prove or disprove some of Hellyer's statements about the rivers in the deep ravines. Stray osmiridium diggers have touched the fringe; the rest is as Hellyer saw it. Yet, with provisions exhausted, Hellyer was observant enough to find slate and copper. See fig. 15.

55. Outgoing d. 1 (11/3/26). Curr relied on Sorell's statement that the land in question was "the tract of country between Port Sorell and Cape Grim." See Curr-Bathurst, 22/3/25. Curr admitted that Bathurst "never names Port Sorell at all," but, since he *did* mention selection, "where is the discretion if the Company *absolutely must* take the North-West angle or nothing?" Curr-Inglis, 1/7/26. The Surveyor-General furthered the "impasse" by invoking mathematics to prove that the north-west quarter of a square "is only the ninth part of it"! For official attitude, see Frankland's report of 14/4/28, in Arthur-Bathurst, 16/4/28. For Arthur's opinion, see Colonial Secretary-Curr, 7/3/26; 4/8/26. His doubt "is in no degree removed."

Curr then claimed Port Sorell as the boundary but Arthur was satisfied that it was "by no means intended that they should boldly plant themselves at the very Portals of the Located Districts,"<sup>56</sup> and was buttressed by the Home government in keeping the Company west of the Mersey.<sup>57</sup>

This point settled, another arose, for, as early as 1826, it was perceived that the nature of the country would render "small Tracts" inevitable, especially if the Company were to avail itself of Hellyer's discoveries. Once more the Governor held that this would be detrimental to settlement, and not until rounds of deputations put the case before the Colonial Office was it agreed that the Company "should be allowed to break the 250,000 acres into four or five Allotments." Huskisson, who came to this agreement, was less sympathetic than Bathurst had been and insisted that the Company should pay the same quit-rent as private settlers and should have access neither to the Port Sorell nor the Cape Grim country. The plan at this time was for the Company to have most of its land in the Hills with the central establishment at Circular Head and a small half-way run at the Lakes.<sup>58</sup>

Once more a complicating factor entered. For little conceivable reason, Arthur had despatched Wedge, a Government surveyor, to examine the remote north-west, although that had been eliminated from the negotiations.<sup>59</sup> After four short journeys early in 1828, Wedge strove to establish the fact that the Cape Grim lands included 700,000 acres of good forest lands suitable for the Company. But, rather than accept this estimate,

56. Enclosure 4 to Arthur's despatch of 16/4/28. Settlers were already pushing through the forest, and runs were established even across the Rubicon, which flows into Port Sorell. The trouble was that both sides argued from the conditions on Scott's map, whereas this encroachment had occurred since then.

57. Arthur was afraid that the settlement of the Company would deprive Port Macquarie, the last refinement of convict discipline, of much of its terror. See Arthur-Bathurst, 2/1/26; 15/1/26; also Company's Incoming d. 24 (4/1/27), and Bathurst-Inglis, 5/1/27.

58. Incoming d. 40 (16/8/27); Huskisson-Inglis, 8/10/27; Incoming d. 51 (5/1/28), for conference with Stanley. The proposal was for 10,000 acres at the Lakes, 20,000 at Circular Head, and the rest in "two large blocks" at the Hills, an allowance of one-quarter being made for bad land. For Curr's views, see Outgoing d. 44 (6/3/27), and, for Arthur's, despatch to Stanley, 16/4/28. Minute of agreement is in full in Incoming d. 52 (24/1/28); cp. Colonial Secretary-Curr, 2/4/28, for official intimation. Also Third Annual Report, 18/3/28.

59. Wedge's reports are in Arthur-Stanley, 2/7/28. The reason was that the charts "were so incorrect that it was not possible to describe the routes (Company's) with accuracy." His tracks merely covered the land explored by Hellyer and Goldie, the only new tract being the land between the two. His routes are on the Scott maps. Even as late as April, 1828, the Lands Commissioners held that this west corner had not been fully examined. (See enclosure 4 to Arthur-Stanley, 16/4/28).



which would have deprived them of the whole of Hellyer's hills, the Company resolved "to submit to the loss of all the money expended"<sup>60</sup> and to give up.

Fortunately, it was clear by this time that a quarter of a million acres of good land could not be obtained in the limited boundaries which Huskisson had laid down and accordingly the Secretary of State proposed (January, 1829) that the Company should select the bulk of its land either at Cape Grim or the hills. Along these lines, a compromise was effected, the Company dividing its land between both places.<sup>61</sup>

But there was still further trouble because much of the Cape Grim (Woolnorth) land was "absolutely worthless and of no more use for the purposes of settlers than so much sky or water." It was absolutely irreclaimable and "of equal quality with the deserts of Africa."<sup>62</sup> Therefore, since one-fifth alone of the Company's land was useful, an exchange was mooted, first to the original site in the east of the island,<sup>63</sup> then to Port Phillip.

At this stage (1835), all were anxious that the Company should cross to the mainland. Arthur encouraged the idea and had advised it as early as 1826, alleging that Marjoribanks, the leader of the Van Diemen's Land Establishment, had Bathurst's permission to take 10,000 acres there. Mitchell's discoveries and rumors of illicit occupation revived the project and Glenelg, in the letter forbidding a grant in the north-east of the island, intimated his agreement to an exchange at Port Phillip. But a succession of quickly-changing ministries rendered a continuity of policy impossible and Under Secretary Stephen finally reversed Glenelg's decision in 1838.<sup>64</sup>

60. Incoming despatch 90 (4/3/29).

61. Outgoing despatch 213 (23/10/40).

62. Outgoing despatches 98 (23/10/29); 156 (22/11/30); 164 (22/1/31). Even Hellyer said that more than two-thirds was "worse than useless," optimistic as he was in his valuations.

63. Incoming despatches, 23 (9/12/26); 29 (18/5/27). Under Secretary Hay definitely sanctioned this in 1827, but Huskisson overrode him. He once more agreed, but this time, Stephen, his successor, reversed his decision. Outgoing d. 145 (9/9/30). See Incoming d. 121 (23/9/34); sanctioned in Hay-Pearse, 18/4/35, and Glenelg-Arthur, 20/6/35. The protests of the Executive Council are enclosed in a letter of Stephen to the Company of 28/8/36.

64. Private letter, Arthur-Hay, 15/11/26 (Chief Secretary's Office, Hobart); Outgoing d. of 15/11/26; Incoming d. 27 (22/3/27), and 123 (15/11/34) for revival. Also Outgoing d. 112 (8/11/36) and 115 (11/12/36). Favored by Lieutenant-Governor of V.D.L. in Owen-Stanley, 19/1/37 (grant between 141 and 147). Arthur and Glenelg's agreement in Incoming d. 164 (26/7/37). Refused in Stephen-V.D.L. Company, 23/8/37, but only because of the A.A. Company's monopoly. Incoming d. 168 (7/12/37). Glenelg left a deputation hopeful. The final decision is in Stephen-Company, 23/3/38. The whole of this important negotiation throws light on quite a new angle of the early occupation of Victoria.



Thus, after protracted negotiations, the Company obtained 350,000 acres of land in four blocks but had not fared nearly as well as the Australian Agricultural Company. This was due to the fact that, in the island, the spots of good land were so scattered as to render one large area impossible; and the Company's lands were therefore either high cold plains or "a huge, dense and untrodden forest in a mountainous country."

At Circular Head, for instance, the peninsula itself was moderately timbered but further from the shore white gum forests rendered clearing "a herculean task." Woolnorth, forty miles away from the base, consisted mainly of marshy plains with coarse herbage and the blocks in the hills, separated from each other, were isolated save for a track through the dense myrtle forests.<sup>65</sup>

To establish settlement under such conditions was a formidable task and one can understand how the Company spent £170,000 in seven years without the slightest return. Keeping Circular Head as a small agricultural establishment and Emu Bay (1827) as a port and a half-way house to the Hills, Curr concentrated on the inland stock runs and set up outposts at Surrey Hills in May, 1828, and at Woolnorth in the following year.<sup>66</sup>

The Court of Directors at once made elaborate arrangements for the acquisition of high-class stock, for Australian wool was declining<sup>67</sup> owing to "the want of the Saxon race or the fine Spanish." After "the jealousy (sic!) of the borderers" thwarted attempts to smuggle Spanish sheep through Naples and through the passes of the Pyrenees, the Company turned to Germany and obtained 300 sheep from the country between Leipsig and Dresden, "of the purest breed that can be obtained." These sheep arrived in the Company's first ship (April 1826)<sup>68</sup> and various shipments followed until by the middle of 1830 £40,000 had been spent on stock.

65. "Cornwall Chronicle," 19/10/44. The best account of the lands is a MS. report by Backhouse and Walker, in Chief Secretary's Office, Hobart, in a private despatch dated 18/3/33.

66. Incoming d. 52 (24/1/28); Fourth Annual Report, 17/3/29; Outgoing d. 55 (14/5/27), and 70 (10/11/27). For the first visit to Emu Bay, see Curr's Journal in Outgoing d. 70 (10/11/27). Cattle were first brought through the hills in June, 1828. Outgoing d. 31 (11/6/28).

67. Incoming d. 57 (24/5/28). Despite the improved V.D.L. wool.

68. For negotiations with Spain, see enclosure to Incoming d. 2 (25/1/26). For the German arrangements, see Incoming d. 1 (7/11/25), and 18 (17/6/26). There had been an arrangement that the A.A. Company should alone exploit Germany, and the V.D.L. Company Spain, but this division of territory was impossible when smuggling failed.

But to maintain this high standard proved impossible and the Company crossed its Saxon sheep with "common native sheep." In 1829, "in order to meet the altered situation" due to the marshes, the climate, and the expense, there was a turn from merinos to the coarser Cotswolds.<sup>69</sup>

But it was dubious if any kind of sheep would flourish in the deathtrap of the hills, even when English grasses were sown, for the winters were too trying and the summer vegetation too coarse. Attacks of natives, plagues of footrot, the ravages of hyaenas and caterpillars combined with the isolation of these deceptive lands to deter experiments and, at the close of 1834, the sheep were removed to Woolnorth and the cold hills reserved for cattle.<sup>70</sup>

There was trouble, too, in other directions, for the Company was viewed "with extreme jealousy"<sup>71</sup> and received scant encouragement from the Government, especially in the vital matter of labor. The shortage of assigned convicts rendered clearing gangs or road construction out of the question, while the outposts were so scattered that the convicts who were obtained were difficult to control. The Company had little more than a hundred convicts until an equal number of agricultural servants was authorised in 1841.<sup>72</sup> Moreover, no rebate was obtained for convict maintenance, for, since the demand for convicts "infinitely exceeds the present capacity of the Government to supply," convict servants could no longer "be regarded in the light of a tax."<sup>73</sup>

The Company therefore turned to free indentured labor, claiming a reduction in quit-rent on the ground that they were increasing the population of the island. Goderich, agreeing to

69. Incoming despatches 103 (June, 1829), and 105 (10/7/29). Very important from the point of general policy, for it was a realisation that, because "the Lands are in character totally different to what the Government and they expected, the object of the Company is in a great measure defeated."

70. The Hills district was for years "a very unproductive Estate," and, although Cheviots were tried in 1838, they, too, were withdrawn. See Outgoing d. 15 (7/4/28), and a very important pronouncement of policy in MS. Minutes of Local Council, 22/12/34. The change to cattle was inevitable, for 5,104 sheep had died in two years, and, "if they had not been removed, the whole flock would soon have been annihilated." Outgoing despatches, 213 (23/10/40); 184 (29/12/38); 313 (19/7/58), and "Cornwall Chronicle," 17/8/44.

71. Melville "V.D.L." (1833), p. 12; "Colonial Times," 9/12/25.

72. 113 in 1838, and 124 in 1839. See MS. Minutes of Local Council for 1840. See long correspondence with Normanby in Incoming d. 188 (16/5/39), and Curr's correspondence in Franklin's d., 9/1/39. Also Outgoing despatches 262 (20/7/41), and 46 (20/7/34).

73. Colonial Secretary-Curr, 6/10/26; Arthur's despatch of 14/11/26; Hay-Inglis, 28/3/27; Glenelg-Arthur, 20/6/35; Incoming d. 133 (1835).

this "upon a limited scale," allowed a rebate of half the passage money.<sup>74</sup> But the Company's experience with indentured servants proved as disastrous as their stock ventures. Though such emigrants were brought in until 1832, they were idle and unsuitable, coming with "the full belief and expectation that Van Diemen's Land is the true Eldorado" and quarrelling about every conceivable thing, from their rations to the coinage in which they should be paid. In 1832, came the climax for, since the indentures dated from the arrival in the colony and not the departure from England,<sup>75</sup> they were all void, so that the Company lost its free laborers just when convicts were unobtainable.

But succor came with the opening of new settlements on the mainland, the turning point in the Company's history. Rowland Hill, the secretary of the South Australian Association (1835), commenced negotiations<sup>76</sup> and, by 1838, "a great trade of live stock" was being furthered both to South Australia and Port Phillip.<sup>77</sup> The result was immediate. Affairs brightened in every direction. The Company's lands increased in value; the first dividend was declared in 1837; English grasses allowed the Woolnorth flocks to prosper; the market for timber on the mainland no longer rendered the cost of clearing prohibitive; and the proprietors turned to a three-years' propaganda for a tenantry. "Population," they declared, "is the only thing wanted to develop the Company's locations,"<sup>78</sup> and they were easily in the forefront, from 1839 onwards, in adapting the emigration schemes of the Canada Company to Australian conditions. The Company, in a word, had survived the troubles of infancy, and it had aided the

74. Correspondence in Hay-Inglis, 23/5/27, and Bischoff-Murray, 18/12/29. Also Arthur's despatches of 1/12/27, 20/1/28.

75. General Order, No. 47, 10/5/32; Outgoing d. 208 (7/3/32).

76. Rowland Hill-Governor of Company, 10/11/35.

77. The Company had a special agent in Melbourne, and shipments were especially large in 1839 and 1840. These shiploads of rams were the mainstay of the squatters to the west of Port Phillip, and ships even carried sheep from Circular Head to Calcutta. See Outgoing despatches 123 (15/11/34); 149 (1/2/38); 152 (1/10/39), and 167 (22/11/38).

78. The nadir had been in 1836, when £100 shares could be obtained for £16. Thirteenth Report, 20/3/37. In 1838, there was another dividend, but after that, calls for emigration purposes, which now absorbed attention. Curr was recalled in 1841 for his apathy in this connection, for he held that expenditure on emigration was "pouring water into a sieve." For the previous tenantry schemes of 1833, 1835, and 1838, see Parker's "Rise, progress, and present state of V.D.L.," (1833), pp. 212-3, and Incoming despatches 140 (17/12/35), and 176 (21/6/38).



island by opening an unknown quarter and by spending £250,000 in fifteen years, all in developmental work.<sup>79</sup>

### III.—*Lesser Companies.*

One other important Company in the late twenties was the "Van Diemen's Land Establishment" or, as it was better known, the Cressy Company. The Company desired grants of 20,000 acres in New South Wales and Van Diemen's Land to improve the breed of horses just as the two chartered companies were improving the breed of sheep. At its head was Stewart Marjoribanks, a leader of the Australian Agricultural Company and one of the most enterprising capitalists of the day.

The remarkable fact about the Company was the vigor with which they promoted their first settlement. Early in 1826—before the Van Diemen's Land Company had established a base and shortly after Dawson had occupied Port Stephens—a large establishment arrived in the extreme north-east of Van Diemen's Land. But their vessel was lost, thirteen of their servants drowned and the site at Cape Portland proved worthless. The Company moved, therefore, to Cressy, south of Launceston, and, by the middle of 1827, had spent £40,000 and set up 27 tenants.

But the promise of this energetic commencement was belied for, although the Cressy stock became famous and although the Establishment lasted for over two decades, internal dissensions ruined the Company. The mainland side of the project was never commenced although Brisbane reserved land for it and, after performing service in introducing improved horses, the Company gradually flickered out.<sup>80</sup>

These were the Companies which had just embarked and

79. See appendix 2, *infra*, for later history in detail.

80. For the history of the Cressy Company, see Curr's Outgoing d. 13 (31/7/26); Murray-Arthur, 15/6/29; local correspondence in Chief Secretary's Office, Hobart. Index for Arthur, esp. No. 18,189, for its grant and charts; Arthur's despatch of 12/8/27, and enclosures (sanctioning completion of grant). For the mainland side, see Hay-Darling, 3/7/25, and Bathurst-Arthur, 23/3/27; memorial of B. B. Thomas to Bathurst, 2/11/25. For extension to Van Diemen's Land, see Thomas-Colonial Secretary of V.D.L., 29/8/26 (Chief Secretary's Office, Hobart). It was Darling who suggested the expediency of trying the island. For the later history of the scheme, see Grey-Denison, 30/1/52, and Curr's Outgoing despatch (V.D.L. Company), 9 (25/7/33). General Lautour, one of the founders, was committed to prison for bankruptcy, and raised all kinds of legal difficulties, involving appeals even to the Lord Chancellor in 1849. Even the V.D.L. title was delayed in this manner for over twenty years.



demonstrated their uses when Wakefield began to write. They emphasised the place of capital in new countries and were the forerunners of the multitude of land companies in the mid-thirties, companies to import German immigrants, to buy special surveys, to foster group settlement, and to do everything conceivable.

## PART II.

### THE PERIOD OF WAKEFIELD.

"Cheapness of land and dearness of labor render men's minds as narrow as their territory is extensive. . . . I became the slave of my slaves."—*Letter from Sydney.*

"It makes colonisation, indeed, an extension of civilised society, instead of that mere emigration which aimed at little more than shovelling out your paupers to where they might die, without shocking their betters with the sight or sound of their last agony. . . . Those lands which from all time had been barren and nominal domains—the mere materials for jobbing, this discovery has converted into a valuable property; and it has also shown you how to apply them, so as to make them most productive to the general good of the colonies, by effecting the importation of labor" and by securing a balance within each colony.—*Buller's Speech in the Commons, 6/4/43, on the Wakefield principle.*



## CHAPTER 7.—WAKEFIELD.

### *I.—The Problem.*

At the close of the twenties, the depression of all the colonies began to attract notice, the depression being ascribed to the lack of any system in alienating land, and to the consequent waste and hindrance to real settlement. There were numerous means of disposing of the public estate, alike only in their lack of useful results.

In Lower Canada, there was a quaint seigniorial tenure inherited from the French, and side by side with it a system of grants in free socage with a quit-rent. Then, as if a mixture of French feudal and English freehold ideas were insufficient, there was a provision enabling associations of forty persons to obtain 1200 acres for each member. In practice, this system was akin to the later "special surveys" of Australia, for it was the recognised practice for the leader to obtain 1000 acres from each of his associates for conducting the negotiations. So that land was really being given away to individuals in blocks of 40,000 acres.

In Upper Canada, grants were given, if large fees were paid and if the recipient undertook to effect improvements and to pay a quit-rent. In operation at the same time was a system of sales which did not attract much notice. Both in Upper and Lower Canada, the records of settlement were faulty and the survey inadequate. Quit-rents had never been paid, the enforcement of conditions was impossible, and settlement was at a standstill.<sup>1</sup>

In Australia, the position was equally intricate. Reckless alienation had almost obliterated the Swan River settlement, and, even if the colony were to survive, there could be no prosperity for many years. New South Wales and Van Diemen's Land had the same land regulations in theory; in

1. For general account, see R. M. Martin's "Colonies of the British Empire" (1839), pp. 163-4 (seigniorial grants, appx., pp. 54-61).



practice, the one saw chiefly sales, the other, chiefly grants. On the mainland, there were those who bought land, those who received grants on a quit-rent basis, and those who merely pushed South and North and occupied Crown Lands without any warrant.

The old method of grants had reached its limit of utility in every way. In Van Diemen's Land, all the good land except the unknown North-west had been alienated, and yet, in a primarily agricultural land, only 3.6 per cent. of the alienated land was cultivated and, within two years, this percentage was to be reduced more than half. In New South Wales, four million acres of land had been chosen piecemeal over an area of six times that amount, and there was unrecorded settlement even beyond this. Van Diemen's Land made no pretence of a survey, while, in New South Wales, there was not even a rough delineation of the whole of the "Nineteen Counties."<sup>2</sup> So dilatory was the survey and so incomplete had previous methods been that more than half the settlers in the Australian colonies had no claim to their lands, even though they were within the official boundaries of settlement.

Grants, too, had meant favoritism, for the majority of land owners were persons who could not cultivate their lands. Many were absentees, grants having been given even to ship captains at one stage of the colonies' history; no attempt was made to prevent aggregation; even bona-fide settlers ridiculed the conditions inserted in their grants;<sup>3</sup> quit-rents served only to provide legal points of quarrel;<sup>4</sup> and everywhere the interests of the Crown and of future settlers received little consideration. Energetic surveyors-general, like Mitchell in New South Wales and Frankland in Van Diemen's Land, might try to remedy the

2. 1836 Committee of Commons on the disposal of Waste Lands, qu. 1727. To 1828, the counties included about 25 million acres, the surveyed area being 1,617,542 acres, increased to 3,564,020. For Van Diemen's Land, see qu. 1981-2. Cp. MS. petition of Mitchell to Queen (Mitchell Library, Sydney), 25/11/41. The survey of the Nineteen Counties was not completed until 1835.

3. In the early thirties, not 2 per cent. of the quit-rents were collected in Van Diemen's Land, and less than 3 per cent. on the mainland. For example, in the five years from 1830 to 1834, only £1,500 was collected in Van Diemen's Land, and £2,997 in New South Wales, although £16,552 was due at the latter place alone. See 1836 Committee, above, qu. 1630-1652.

4. There were two test cases in this regard:—

(a) *Jones v. Knopwood*. See "Sydney Gazette," 7/4/21. Cp. Arthur-Bathurst, 10/8/25.

(b) *Doe dem. Dowdell v. Walker*. See "Australian Chronicle," 25/6/40, or "South Australian Record," 24/10/40. Refers to a grant of 1812.

drift, but could not surmount the obstacles caused by two decades of neglect.

The land in all the colonies was thus being wasted without benefit either to the Crown or to the average settler, and abuses were unchecked. There was no attempt to bring theory into line with practice, as was seen in the case of the reservations for religious purposes. In the twenties, it was deemed expedient to reserve one-seventh of each county as an endowment for religious and educational purposes. In New South Wales, there were over 400,000 acres of these lands, chosen in the best positions and in absurd shapes.<sup>5</sup> For example, in Gloucester county, the Church and School reserve consisted of a long, narrow strip, cleaving the county in two. In Canada, the abuse was even more evident, for there nearly six million acres of clergy reserve remained desert in the middle of cultivation.<sup>6</sup>

The weakness of the situation is revealed by a few statistics:—<sup>7</sup>

1830.	N.S.W.	V.D.L.	Swan River.	Upper Canada.	Lower Canada.
Population—Free . . . .	26,702	12,974	1,655	234,865	511,917
Convict . . . . .	20,256	10,195	—	—	—
Land granted (acres) . .	3,963,750	1,874,345	1,200,000		
Land sold . . . . .		69,481	—		
Total alienated . . . .		1,943,826	1,200,000	c. 8 mill.	c. 10 mill.
Food imports (bush.) . .	70,904	—			
Clergy reserves (acres)	419,199	—	—	c. 3¼ mill.	c. 2 mill.
Sheep . . . . .	504,775	680,740	7,981	not counted	
Cattle . . . . .		85,942	583	192,000	
Wool exports (lbs.) . .	899,750	1,250,000	—		
Food imports (bush.) . .	70,904	—			
Land revenue . . . . .	£1,985	£3,160	—	£23,000 (£15,000 from Canada Coy.)	£5,700
Quit-rents collected . .	£91	—	—	—	—
Extent of surveys (ac.)	2,750,000				
Average price of land . 10/- - 12/6			—		
Average price of grain . .	8/10	7/-			3/9-4/6
Average yearly immigra- tion . . . . .	1,160		330		28,000
Average yearly convicts	2,800	1,200	—	—	—
Tradesmen's wages . .		10/-			

5. In 1826 the New South Wales Church and School Corporation had 550,000 acres vested in them, obtaining 419,199 acres by 1828, and finally 435,765 acres. Future reservations were abolished by Ripon's regulations of 1831, and the Corporation received no State aid after 1834. But the lands were held in trust, and, under a royal charter, 278,000 acres were sold by 1855, when the remainder were handed to the colony in trust. Tenants utilised the land on an uncertain tenure until the end of the century, when an Act of 1897 wound matters up, and gave the tenants the ordinary conditional selection rights. See Darling-Bathurst, 22/5/26; 1836 Committee of Commons on the disposal of Waste Lands, qu. 1724; Votes and Proceedings of N.S.W. Council, 1832-7, p. 197; N.S.W. Debates, Vol. 87, 1897, p. 845. In particular, see MSS. in Mitchell Library, Sydney; the Proceedings of Committee, 1828-30, and the Letter Book (especially valuable, because it was the first). The details of estates are given in the MS. Reports of the Surveyor for 1829-30. The small amount of return is seen in the MS. Journal of Accounts, 1826-31.

6. 1836 Committee on the disposal of Waste Lands, qu. 8.

7. The statistics for this period are extremely difficult to obtain. The

This weak position might have been tolerated, had it furthered the settlement even of the monopolists. But everywhere there was a scarcity of labor<sup>8</sup> which was becoming more acute every year. The capitalist could find no labor; the laborer who set out for himself was hindered by lack of capital. The elements of the colonial society were working at cross-purposes, while profuse land grants were always increasing this anomaly.

But, it will be asked, what part did the convicts and the emigrants play? The answer to this question merely serves to emphasise the faults of the situation, for, since 1825, the supply of convicts had been inadequate to cope with the demand. The Government, too, was using more and more men for road gangs and clearing parties, so that the supply was diminishing in two directions—in England and in the colony—just when the demand was increasing.

Neither had emigration alleviated the situation, for there had been no regularity in this regard. "It resolved itself into a violent effort at one time, and did not provide for continuous action."<sup>9</sup> Even in the aggregate, the Australian colonies had attracted only 10,498 emigrants in the twenties.<sup>10</sup> Pauper emigration, especially in Canada, had broken down, and all attempts of private persons and chartered companies to introduce laborers under indenture had failed.

The result was that, in Australia, settlers held over seven million acres of land, and for the most part could do nothing with them. At the same time, England was also facing a problem.<sup>11</sup> Australia had work and no laborers; England had laborers and no work. Nearly two and a half million persons in Ireland alone were unemployed for half of each year; the industrial advance of England was not rapid enough to absorb the laboring population; and, in Scotland, the distress of the northern

table above has been compiled from various sources, chiefly the Third Report of the Committee of Colonial Enquiry on Receipts and Expenditure (1831); the 1836 Committee above; Macarthur (1837); Martin (1839).

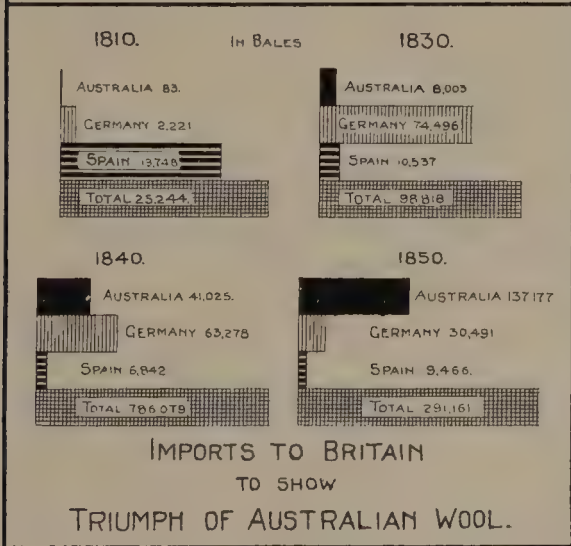
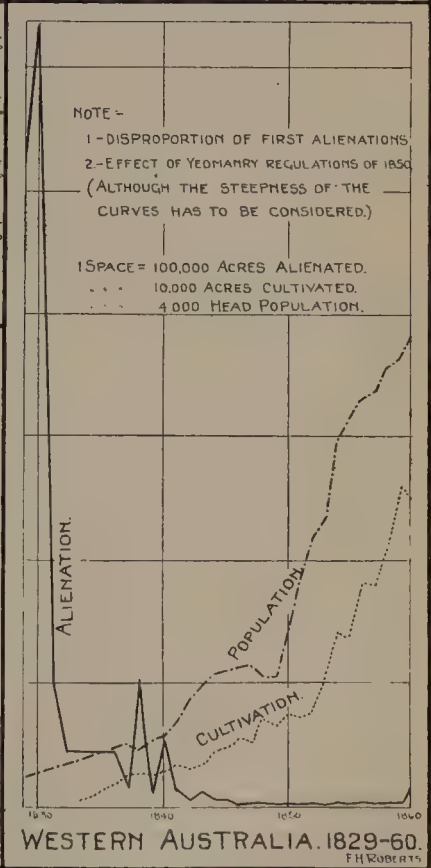
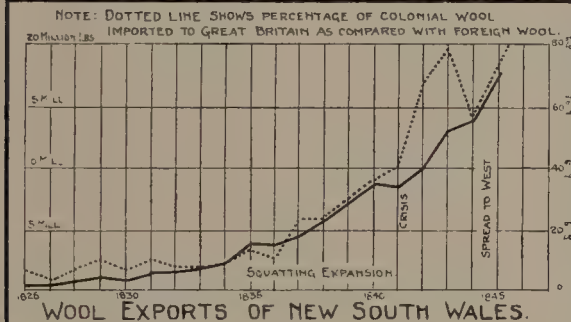
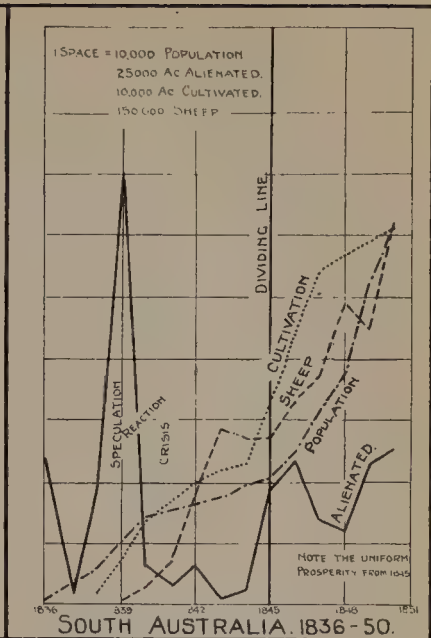
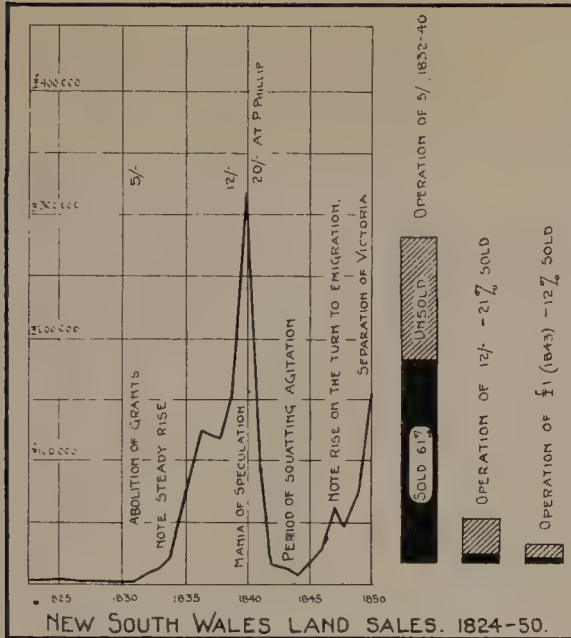
8. Wakefield's "Letter from Sydney," p. 33; appx. 20; "England and America," Vol. 2, pp. 118, 124. "I became the slave of my slaves"; "Cheapness of land is another expression for scarcity of labour." See "Sydney Gazette," 5/5/31, quoting Wakefield's article in the "Literary Gazette," October, 1830.

9. 1836 Committee of Commons, above, Whitmore's evidence, p. 6.

10. The yearly totals from 1820 to 1830 were 320, 875, 543, 780, 485, 903, 715, 1,056, 2,016, 1,242, 1,561.

11. Whitmore's long speech before the 1836 Committee of Commons above.





TO SHOW POSITION IN THIRTIES AND FORTIES.





crofters could scarcely be described. Rents, tithes and poor rates had been continuously increasing since the peace of 1815,<sup>12</sup> and there were only two alternatives, increased suffering or emigration—"If some of us were to quit the country, the rest might live."<sup>13</sup>

At the same time, English capital could find no outlet. South American mines and foreign loans were rushed, and yet, as the cases of the Australian Agricultural Company and the Van Diemen's Land Company seemed to prove, the colonies offered no scope.

So that certain leading premises became clear. England had spare labor, while the colonies were languishing for labor; England had spare capital, the colonies *might* be made fields for investment. But how? It was easy to urge emigration as the solution of the first problem—to create a bridge between places having too much labor and places having too little. But the main problem remained. How could this labor be employed when it actually came to the colony? How could the stock-owners and farmers *keep* their hands? How, further, could the new labor subserve the interests of English capital and provide a scope for further capital in the colony?

## II.—*The Wakefield Theory.*

Here the arguments of Edward Gibbon Wakefield and the "colonial reformers"—the theorists of 1830—entered. Wakefield was the leader of a band of persons who wished to infuse order into colonial administration, and to relieve home distress by emigration. The "systematic colonisers," as they were called, formed a Colonisation Society to broadcast their views, and were supported by Rintoul of the "Spectator."<sup>14</sup> Colonel Torrens, Gouger and Wakefield worked with the public, while Molesworth and Buller advanced the new ideas in the Commons. In the middle of 1829, Wakefield, under a borrowed name, published the "Letter from Sydney," a small booklet, with an

12. "And the price of the quarter loaf, what? Why, one half-penny more than it was in the year when George III. ascended the throne." So that the farmer also suffered.

13. Pamphlet of the South Australian Association. "To Small Farmers and Others," 1/7/35. Cp. Cobbett's "Guide to Emigrants," (1829), letter 1. "We do not find a full employment for all our talent, our labour, or our capital."

14. The "Spectator" even founded the "Colonial Gazette" to express the new views, and, from 1839 to 1847, this organ conducted the Wakefield propaganda.

appendix of nine short articles, summing up the ideas of the reformers. This was a rallying point, and the small band of enthusiasts began their campaign against the heavy odds. The powerful "Edinburgh Review" at first scarcely noticed and then crushed the new ideas; the "Westminster Review" and the "Times" were bitterly hostile; the new theories were "received by the multitude with incredulity, by the learned with scorn."<sup>15</sup>

But gradually what was called the "Wakefield Theory" emerged,<sup>16</sup> though it was never clearly enunciated and was ever changing form. It won over the Colonial Office, and became the greatest influence on colonial affairs in the thirties. This was due largely to Wakefield himself, for, although hampered by his peculiar position and beyond the pale of politics,<sup>17</sup> and although hindered by dissensions among his supporters, he forced his cause to the front. A pungent critic, an appealing writer, a skilled manager of men and a consummate tactician, he was successful quite as much because of his own personality as because of the merits of his theory.

In this campaign, of which the rapidity and completeness of the success of the theory form one of the mysteries of history,<sup>18</sup> land was the keynote. It was the connecting link between labor and capital. Land abused had caused the trouble in the colonies to this date; land, rightly used, could help the colonies and at the same time remove some of the mother-country's burdens. Wakefield and his colleagues, from the first, diagnosed the disease correctly. They saw that there was a proper proportion between the three elements—land, labor and capital. The absence of one of these and the superabundance of another had hitherto caused colonial paralysis, but the restoration of an equilibrium or balance between the three would open up unlimited vistas of progress.

But how was this to be achieved, and, more important still,

15. Merivale, "Lecture on Colonisation," (1861), p. 428.

16. Wakefield, "Art of Colonisation," p. 43; "a system was framed which embraced both objects and means"; "In a word, the colonisers of 1830 formed a theory."

17. The fact that Wakefield had been convicted must be stressed, for it was an important feature of the situation.

18. This is the more remarkable, since both sides of the theory had been anticipated (Mills, p. 137)., the emigration aspect by Gourlay in Canada, the sales side by the Colonial Office in Australia for over a decade. Wakefield was more a co-ordinator and a propagandist than anything else.

how was it to be maintained? The first step was to remove the scarcity of labor in the colonies, and Wakefield's first work on the subject showed how this could be accomplished. A bridge was to be formed between "the boundless regions wanting people" in the South, and the "countless people wanting land" in the North. The absence of such an easy flow of labor from region to region led Wakefield to inquire into the cause, and he contended that "the absolute want of hands at any rate of wages in a colony" was directly due to the facility with which land could be obtained and to the lack of system in previous land policies.<sup>19</sup>

Thus there was no tenant class in a colony where workers could become peasant proprietors and scatter over a colony "till they shall become as wild as Tartars."<sup>20</sup> Grants had helped neither capitalist nor laborer, for they had meant undue dispersion. Hence, colonial lands should be disposed of by sale,<sup>21</sup> as that alone would, by imposing restrictions, secure a normal labor supply.

Beyond this, Wakefield did not go in the "Letter from Sydney." He was feeling his way, and as yet had no conception of his later idea of an *automatic* balance between land, labor and capital.<sup>22</sup> Neither had he any idea of sales in direct proportion of emigration, nor could he regulate the traffic on the bridge between North and South.<sup>23</sup> He merely wanted to relieve the labor scarcity in the colonies and diminish unemployment in England. Land was realised to be the connecting link between the two; sales the method of using the land. And to grasp these two facts was a great step in advance, for the rest of Wakefield's theory was but a logical development from

19. This lack of system has always been noticeable to foreign observers, e.g., Marcel Dubois's *Systèmes Coloniaux*, pp. 145-6. "En un mot, les procédés Anglais de colonisation n'entrent rigoureusement pas dans une aucune cadre théorique," and this was even truer before 1830. Cp. "Art of Colonisation," p. 140.

20. "Colonial Gazette," 29/7/40; "Adelaide Observer," 1/2/45; "Letter from Sydney," p. 6.

21. "Colonial Gazette," 1/12/41; "Art of Colonisation," p. 336; Wakefield's "Hutt Bridge Speech" (1853), p. 11. Cp. Pillorgerie's *Histoire de Botany Bay* (1837), p. 310, refers to undue facility for obtaining land as "*le serpent jeté dans le berceau de la colonie naissant*." Cp., too, the curious national distinction drawn by Duval in *Les Colonies et la Politique Coloniale de la France* (1864), p. 454.

22. Contrast Capper's "South Australia" (1837), p. 51; "Colonial Gazette," 1/12/41. The notion of a harmony is seen in Duval's definition of the art of colonisation. (p. 453, above).

23. "Letter from Sydney," p. 180. It was a "theory of Restriction, Anticipation and Free Migration," but the only hint of regulation was in the statement that "a wise government would grant just enough land to enable the people to exert their utmost capacity for doubling themselves, but no more."



them. The "Letter from Sydney" thus made clear the elements of the colonial problem, showed how they were bound up with home matters, and hinted at a practical solution of both questions.

Having gained this point, Wakefield was enabled to turn more to the colonial viewpoint. Gradually the theory was thus interpreted. First, sales of land and regular surveys were to produce order in the colonies. Emigration from England was to relieve distress, both in the mother-country and the colonies, and both the supply of labor and the rate of emigration were to be determined through the medium of land. The whole situation, in fact, was to be controlled by the price of land, a "sufficient price" for which would ensure a well-balanced colony and reduce destitution in England.

The "sufficient price"—the crux of the whole theory—operated in two ways:—<sup>24</sup>

- (1) It prevented laborers in the colonies from becoming land-owners too soon, and thus ensured labor for the capitalist, and hindered the "spreading" or dispersion of settlement. It benefited everybody, for, while sufficient to achieve these ends, it was not so high as to condemn the laborer to perpetual servitude. It was a medium price, varying with the needs and situation of each colony, and securing an equilibrium between the three elements of land, labor and capital.
- (2) It provided a fund with which emigration from the mother-country could be fostered.<sup>25</sup>

Moreover, everything worked automatically. The land-fund was an index of the colony's requirements. If there were more sales, more labor would be needed, and there would be a revenue to bring in this labor. On the other hand, if land sales were reduced, not so much fresh labor would be needed, but, since emigration was dependent on the land-fund, none would come. A harmony or balance was always secured by this self-adjusting theory. Land-sales, land-fund and emigration, all

<sup>24</sup>. This summary of the theory in its mature form, is from Wakefield's evidence before the 1836 and 1841 Committees of Commons, the article in the "Colonial Gazette" for 1841 (the best short account by Wakefield, and the most mature of all), and the "Art of Colonisation."

<sup>25</sup>. See MS. circular in South Australian Papers (Mitchell Library), Vol. 2, pp. 231-233, for benefits in this regard.

depended on the needs of the colony, and Wakefield connected the three.

Two things thus stood out—sales of land at a “sufficient price” and the promotion of emigration by a land-fund.<sup>26</sup> Attached to these were many debatable points, relating to the practical application of the theory:—

- (a) How was the “sufficient price” to be determined in practice, and on what theoretical criteria was it to be based?
- (b) Was there one uniform price for all colonial lands, or even for each colony? Or was auction to determine the variation above a certain minimum?
- (c) How much of the land revenue was to be appropriated for emigration? What other charges, if any, were to be met from the land-fund?
- (d) How could the system be maintained if it were instituted, that is, how could it cope with varying conditions in practice?

All of these things came back to the “sufficient price,” which was the basis of the whole theory. The aim was clear, and had been defined by Wakefield in the “Letter from Sydney” as the establishment of “such a proportion between people and land as would render labor plentiful, and not extravagantly dear.”<sup>27</sup> But to convert that aim into practice raised the difficult points.

At first, Wakefield supposed that the “proper proportion between people and land” would be secured by imposing a price which would be sufficient to pay for emigration. But a price which would effect this emigration might not—and would not, save by a coincidence—secure a balance within the colony. It might be too low to keep emigrants as laborers, or, as would probably be the case, too high, and would thus prevent the laborer from ever becoming a land-owner. The price which would just pay for emigration might not be the price which would secure labor for the capitalist, and yet hope for the

26. Leroy-Beaulieu, in *La Colonisation chez les Peuples Modernes*, Vol. 2, pp. 374-5, distinguishes six features, and Coghlan, the most recent writer (1921) follows him. But some of these overlap, and the notions of price and emigration are fundamentally wrong. Mills’ “Colonisation of Australia,” p. 120, from the land point of view, discriminates the two aspects above, but stresses too, the social aspect and the governmental side of the plan as a whole.

27. “England and America,” Vol. 2, pp. 36-37.

laborer. One of these aims had to be realised as the more important, but which?

Here Wakefield took a decisive step and parted from his colleagues. Emigration could be subsidised in other ways; the all-important matter was harmony within the colony.<sup>28</sup> This was clear to Wakefield in 1836, for, in his examination before a Committee of the Commons, he turned from the emigration determinant, and recognised as paramount the necessity of an equilibrium between labor and capital in each colony. From that time onwards, he declared dogmatically that "the *sole* object of a price is to prevent laborers from turning into land-owners too soon."<sup>29</sup> If this were achieved, the other results would follow automatically. Land-owners received laborers by some means; laborers worked for some years, and then could buy land; they then moved upwards, and the gap was filled by fresh emigrants. There was a continual transition and a continual development, and this harmony of flux determined the price of land. If this sufficient price were alone applied, it meant the Wakefield principle: if it alone lacked, there would be no theory.<sup>30</sup>

This stress on the balance within the colony led to the next point. The "sufficient price" varied with actual conditions in each colony, for no two colonies presented the same proportion of laborers and land-owners, and, even if they did, the varying natural conditions affected the speed with which a laborer could become a land-owner. For instance, if other conditions were equal, a price which was just "sufficient" to keep the laborer in Australia Felix in service for a few years would be far too high in the *veldts* of South Africa. The handicap in natural conditions, economic circumstances, and, in fact, all of the peculiar features of each colony, had to be taken into account. "To name a price for all the colonies would be as absurd as to fix the size of a coat for mankind." Theory could

28. "Art of Colonisation," p. 347. "The price must be sufficient for that one price and no other." Contrast Poulett Scrope's attack. 1836 Committee of Commons on the disposal of Waste Lands, pp. 177-9.

29. "England and America," Vol. 2, pp. 195, 200; 1836 Committee, qu. 868, 870, 944. Cp. 954. "The object of the price is not to create an immigration fund." There was no relation "between the price required for land and immigration."

30. The "Colonial Gazette," the organ of the systematic colonisers, defined the system (6/11/39), as "sufficient price plus surveys."



not rigidly determine a price for land in a colony in the Antipodes.

Each individual administrator had to consider "the facts before his face," begin with a price obviously too low, and "raise the price by degrees with a cautious but resolute hand" until it sufficed. Wakefield would never name a price, even for a particular colony,<sup>31</sup> and, although his opponents thought this a weakness, it was really a tribute to the practical nature of his theory. Had he named any "sufficient price," it would have weakened his position, for he dealt only with the requirements of theory; it was the administrator's duty to apply the theory and to take into account the actual needs of each colony.

In emphasising the peculiar conditions of each colony, Wakefield evaded the pitfall into which the founders of South Australia fell. To them, and to his antagonists in general, a "sufficient" price was a high price. At least, it was to pay for emigration, and, if higher, could meet other claims. But, even in 1836, Wakefield sounded a note of warning in declaring that the price could be obnoxious if it were too high. It must, above all things, be sufficiently low to allow the laborer to become in time an owner, for otherwise there could be no expansion.

Here, again, Wakefield's stress on internal conditions rather than emigration became noticeable, and here Torrens misunderstood the theory. A high price might "encompass the settled parts of the colony, not with an elastic belt, but with a 'wall of brass.'"<sup>32</sup> On the other hand, the real price was "a sufficient, not a high price—a price uniform in each colony, but fixed with reference to the circumstances of that colony."<sup>33</sup> It was flexible within each colony, yet varied between the colonies. It was "a golden mean" between an unduly high price which would deter laborers and an unduly low price which would impede land-owners. It was practical and beneficial to all concerned. In short, it was the fundamental conception in colonial concerns.<sup>34</sup>

31. "Art of Colonisation," p. 349; "England and America," Vol. 2, p. 202; "Hutt Bridge Speech" (1853), p. 17. Cp. "Letter from Sydney," p. 171. "How is the proper price to be ascertained? I frankly confess that I do not know how. I believe that it could be determined only by experience."

32. "England and America," Vol. 2, p. 158. This was clearly an advance from the previous stage, although, in the "Letter from Sydney," he had said that ninepence could be too high, and £90 too low. Cp. 1841 South Australian Committee, qu. 2,010.

33. "Colonial Gazette," 9/8/43.

34. The idea of this "sufficient price" has been peculiarly misinterpreted. Garnett, the biographer of Wakefield, has no conception of the



The question then arose—"and in the whole Art of Colonisation, there is no question of more importance"<sup>35</sup>—how was the land revenue to be utilised? To Merivale, the solution of this problem was "the great discovery of Mr. Wakefield,"<sup>36</sup> and it was undoubtedly the most important, from a practical point of view. At first, Wakefield believed that the land revenue could easily defray the expenses of sufficient immigration, and also leave a surplus for "the relief of other taxes and for the general purposes of Colonial Government."

But he did not believe with the Colonisation Society that the entire land-fund was mortgaged for emigration. He held that the diversion of the land revenue to emigration was merely a desirable incident. It was without question desirable, for it served to "*multiply the rate* at which colonisation should proceed,"<sup>37</sup> but it did not change the nature of that colonisation. The point was that "with a sufficient price the land would be colonised as *well* as possible; employing the purchase money as an emigration fund, the land will be colonised as *fast* as possible."<sup>38</sup> The "sufficient price" was to secure a balanced state of society; the earmarking of land revenue for emigration was one of the means of accelerating this.

However, if emigration were needed to present the fundamental elements for Wakefield's experiment, it would come in some way or other. Of course, certainty was secured if "some large *fixed* proportion of the proceeds of sales" was devoted to emigration, but there was no direct causal connection between emigration and land-price.

This does not mean to imply that Wakefield came to spurn

term (p. 68), and even a penetrating critic of the calibre of M. Leroy-Beaulieu, misses the whole point in identifying "*le prix naturel*" ("sufficient price") with "*la somme nécessaire pour transporter ce travailleur de la métropole à la colonie*" (2.375). Another fallacy is to say that the price bears a relation to the value of the land. For conclusive proof to the contrary, see Mann in appendix to Torrens' "Colonisation" (2nd edition), 1836, p. lxxiv.; "South Australian Record," 7/3/40; Westminster Review, October, 1834, p. 450; Torrens, *supra*. p. 10; Merivale's "Lectures on Colonisation," p. 398.

35. "Art of Colonisation," p. 373.

36. Merivale, p. 397.

37. 1836 Committee on Disposal of Waste Lands, qu. 875, 878.

38. "Letter from Sydney," p. 195; appendix, pp. vi.-vii., xv.; 1836 Committee, qu. 861-2, 878. Yet he admitted that, if more land were sold, more immigration would follow. "Colonial Gazette," 1/2/41. The "Art of Colonisation," p. 377, stressed the need for "an emigration fund." Before the 1841 Committee (qu. 2717-25, 2729, 2681), he held that a great revenue could go "even to the mother country, without injury to anybody."

emigration. He merely rejected the dogmatic statement of Torrens that the price of land somewhat corresponded with the amount required for the conveyance of labor to the spot. In the mature form of his theory, he held that the land-revenue formed a fund which could be appropriated in any way, but that it was preferable to use it in subsidising immigration. To him, emigration was not the leading<sup>39</sup> matter, but merely a *sine qua non*, which could be secured in many ways, most easily by using part of the land-fund. But Wakefieldians in this regard went further than Wakefield, and all were convinced that "part of the land-fund is sacred to the transportation of assisted emigrants."<sup>40</sup>

Thus, the Wakefield theory meant to Wakefield a "sufficient price" for land, and the accompanying balance of classes in a colony, with some of the land revenue going to emigration as an advisable but not obligatory safeguard; to Torrens and the founders of South Australia, it meant a price sufficient to bring out emigrants and a rigid devotion of the land-fund to that purpose; to the public, it meant a high price and the application of some of the revenue at least to emigration—"There is nothing more and nothing less in this much-talked-of, much-abused, much-praised scheme."<sup>41</sup> So that the theory was given at least three important interpretations, all of them with something in their favor, none theoretically perfect.

39. Thus, while he acquiesced in the aims of the National Colonisation Society, he rejected Hutt's rigid connection between land sales, land fund, and emigration. See W. Hutt's "Emigration and Colonisation" (1832)—speech before the National Colonisation Society, July, 1830, pp. 4, 13, 15. "The great object proposed by this society is the cure and prevention of pauperism, by means of systematic emigration to the Colonies." From the "Letter from Sydney" onwards, Wakefield always stressed emigration, and in particular, a loan for this purpose. "Colonial Gazette," 1/12/41; attacked in Westminster Review, July, 1835, pp. 234-5. Cp. Leroy-Beaulieu's *Les Nouvelles Sociétés Anglo-Saxonnes*, stressing a loan for emigration and public works as a leading feature of Wakefield; "*des emprunts gagés par les ressources futures de la colonie.*"

40. Jules Duval's "*Histoire de l'Emigration*" (1862), p. 306; 1840 Committee of Commons on New Zealand, qu. 339. Cp. the movement in the colonies for the exclusive devotion of land revenue to emigration. See Westminster Review, July, 1827, p. 93; "Martin's Colonial Magazine," Vol. 7, 1842, p. 467; Glenelg-Lords Commissioners of Treasury, 19/8/36. But note the re-action in the early forties. N.S.W. Votes and Proceedings, 1843, p. 768. Murray's committee reported that "by the practical application of his theory to this colony, one million sterling has in some shape or other been sent out of the country, and we have received in return, labor without capital." Yet even this denunciation showed how clearly the use of the land-fund for emigration was a part of the Wakefield theory, as interpreted.

41. Roebuck's "Colonies of England" (1849), p. 129. Cp. p. 134. "A great mystery has been created about it; a sort of conjuration solemnity has been employed when describing it."

### III.—Weakness of the Theory.

These various interpretations throw light on the most striking feature connected with Wakefield's schemes—that a plan which exerted so great an influence on colonial affairs was palpably weak in theory. At every stage, criticisms arose, and were fostered by the cleavage between Wakefield and his followers.

Firstly, the notion of a "sufficient price," abstract and vague as it was, occasioned much opposition. It was too vague.<sup>42</sup> Nobody knew what elements were included within it, though all came to admit that public services and the cost of survey had to come in. If it were important to arrange for a well-balanced society, it was "even of more importance" to furnish "those facilities to the *productive employment* of labor, which can only be supplied by outlay of colonial capital on the spot."<sup>43</sup> That is, roads and bridges and surveys and gaols all had to be considered. Wakefield himself said that the land revenue would probably meet the whole of the expenses of colonial administration, and perchance leave a residue as a tribute to the Imperial Exchequer.<sup>44</sup> Why not be certain, asked the critic, and include these things when fixing the price? The first difficulty was raised, therefore, by the question as to what elements should come into the "sufficient price."

Secondly, there was the criticism that, even if there were agreement as to the component parts of the price, it could not be fixed in practice.<sup>45</sup> This was not because Wakefield was

42. Matthew's "Emigration Fields" (1839), p. 183; "the sufficient price is a term of rather difficult apprehension." Cp. Scrope before 1836 Committee, qu. 1535. "That imaginary 'sufficient price' called by its advocates 'the golden mean,' I consider to be something like the 'To kalon' or 'sum-mum bonum' of the old philosophers; something more easy to seek than to find, to talk about than to lay down in an Act of Parliament." It was a "shadowy abstraction."

43. Lord Howick in "Globe" of 6/8/39, reprinted in "Colonial Gazette" of the next day. The "Gazette" remarked that "Lord Howick would kill the goose for the golden egg." Cp. J. A. Roebuck's "The Colonies of England" (1849), p. 130—jails and roads are as important as immigrants to a new colony. Cp. Wakefield himself in the Hutt Bridge speech, p. 17, and question 887 before the 1836 Committee (but contrast qu. 879). See "Times," 5/1/41; "Colonial Gazette," 6/1/41; "Edinburgh Review," April, 1842, p. 155; Merivale, pp. 411-412.

44. 1836 Committee, qu. 879, 884. Matthew, above, p. 82.

45. Napier, who declined the governorship of South Australia, wanted 30/- as the price ("Colonisation," 1835, p. 113); the "Morning Chronicle" estimated the minimum as £3/12/-; Torrens fluctuated most of all. Cp. Brown's MS. Journal (Mitchell Library, Sydney), 8/6/35. "He advocated £3/12/- some short time ago, then £2 in his privately printed appendix, then 12/- in his finished book, 12/- in yesterday's land regulations, 20/- to-day." Brown adds, "this ridiculous fluctuation in the mind of the leading man in our Commission looks very ominous for our fine theory of Colonisation," Cp. Torrens' "Colonisation of S.A.," p. 67.



unable to name a price, but because even the colonial governors would be unable to do so. The initial choice of a price in any particular colony had of necessity to be an *a priori* guess,<sup>46</sup> a basis on which to work, a starting point for Wakefield's notion of gradual increments. But, as the changes of the forties amply demonstrated in New South Wales, repeated interferences with the price of land involved speculation and depreciated previous values. The Wakefield idea of a "sufficient price" could neither be fixed nor maintained nor altered. A mechanical notion of experiments of this nature cannot be applied to a community where there is no *tabula rasa*, and where human values enter into and complicate the equation.

Thirdly, even assuming that the "sufficient price" could be fixed and applied, it neglected both the influence of existing systems<sup>47</sup> and the possibility of later changes. For example, how could *any* price be applied to Swan River, where everyone on an average held 4000 acres of granted land? Moreover, if such disturbing factors did not exist at the commencement of the scheme, there was the certainty of speculation. To Wakefield, however, this was desirable; speculation in land scrip was "one of the fittest operations in which a company can engage,"<sup>48</sup> and an "extensive *speculative* demand" for the first locations was an aid to settlement. Speculation in town sites and the real effects of rapidly enhanced land values were neglected by Wakefield until the Australian crisis of the early forties, and, until then, he admitted factors which helped the establishment of his scheme, but which militated against its continuance.

Fourthly, even if all of these weaknesses were eradicated, and if the Wakefield harmony were set up, was this success desirable? Here entered the social arguments. There was to be a distinct cleavage between the classes, and a strictly limited transition between them. Wakefield had denounced the labor of slaves and felons, yet the keynote of his "sufficient price"

46. "Westminster Review," July, 1835, p. 227, footnote, said that the price was settled at £1, "apparently for no other reason than that 20/- make a pound, and a pound is an integer."

47. "Quarterly Review," May, 1830, p. 272. A sufficient price "will force the employment of capital on inferior soils now appropriated" and "will produce no revenue till every acre of land, now private property, is sold or cultivated." Cp. "Colonial Gazette," 13/11/39.

48. "Letter from Sydney," p. 16; 1836 Committee, qu. 960; "buying, waiting, and selling at an enhanced price" is favored. "England and America," Vol. 2, p. 182, and appx. 2; Torrens, pp. 84-87, 92. Cp. "Colonial Magazine" (Martin's), Vol. 5 (1841), p. 16. But see "Colonial Gazette," 9/12/40, for the evils of re-sale.



was the assumption that free colonies "could be regulated most economically and advantageously under the same division of labor—masters and servants."<sup>49</sup> There were all the evils of "an artificial, hard, organised distinction between laborers and capitalists," and the laborer under the Wakefield regime would be, in effect, *adscriptus glebae*. Wakefield himself came to realise something of this, and in his later days reiterated again and again that "the term for labor for hire should be as short as possible."<sup>50</sup>

Wakefield's harmony was open to attack from still another point of view. The theorists argued that their system was self-regulating. Labor and capital were perfectly mobile, and there was a continual readjustment until "the proportion of equilibrium" was attained.<sup>51</sup> There was "a perpetual succession of laborers for hire," a perpetual transition to ownership, and, in short, a continual flux and an endless adjustment to changing conditions. But, argued the critics, could such a harmony and such a mobility exist? Were they not "the exploded fallacies" at which the "Westminster Review" sneered? Were there not outside complicating factors, such as the enticement of squatting or the inequalities of neighboring colonies?<sup>52</sup> Discords would disturb the harmony, unless each colony were isolated, and this involved setting up that iron band which Wakefield so much opposed.

All of these criticisms were directed against the "sufficient price," which was difficult of comprehension, weak in theory, impossible to convert into practice, and uncertain in its application. Its practical importance came to be in its demonstration of the need for some higher price than had previously existed in the Australian colonies.

But, even with this clarification, there was dispute as to how a higher price could be realised. Wakefield desired a fixed

49. Mill "Principles of Political Economy" (3rd edn.), Vol. 3, pp. 563-4. Cp. Matthew, "Emigration Fields" (1839), pp. 188-9, 197; "Westminster Review," July, 1835, p. 229; October, 1834, pp. 448, 475. Said that the labour portion of the plan was "a botchery worthy of a Bench of Justices."

50. Garnett, p. 68, says that the period was 4 years, but Wakefield never assigned a minimum, except when he once postulated 3 years as a hypothesis for an argument. Cp. 1836 Committee, qu. 789-790; "it might be 5 or 7, or 2 or 1." Hutt Bridge Speech, p. 7, 16. "Knock away every impediment that can possibly be removed."

51. Torrens (1835), pp. 14-5; "Eclectic Review," March, 1835, pp. 179-80.

52. "A True Picture of Australia and its Merits and Demerits, by a Friend to Truth" (1839), p. 79. Cp. Garnett, pp. 289-290, who says this is the chief difficulty of the plan.

uniform price,<sup>53</sup> but could not evade the criticisms raised by his opponents. At first, he thought that the difference between good and bad land in any district could be determined by competition, but by 1836 he opposed auction, both for colonisation and revenue purposes. "Having got a price which was sufficient, I should say, why any further restriction or exaction of money from the settler?" Auction would merely be a tax on enterprise and an aid to capitalists. It was, in fact, "either a foolish conceit or a false pretence," although Wakefield, in pursuing this line of thought, soon found himself in difficulties. To say that the settler was harmed, if the price were more than "sufficient," ignored the fact that the theoretically "sufficient" price might not suffice from an economic or practical point of view. A fixed price could not consider all possible determinants, such as artificial or geographical variations.

It lacked the flexible and self-adjusting nature which the operation of supply and demand gave to auction, and Wakefield failed to realise that his system meant the existence of two different price-levels, the one fixed by the labor criterion, the other by the market. In a word, he found himself confronted by a dilemma. If the fixed price were low enough to allow poorer spots to be sold, there was a sacrifice of revenue; but, if the price were not low enough to sell the poorer lands, Wakefield would be forced to admit a breach in his theory, and impose a price which would be less than a "sufficient"<sup>54</sup> one. Yet, he remained firm in his opposition to "that monster grievance" of auction in any form, and, even when sanctioning the expedient

53. For the emergence of ideas on this matter, see

- (a) "Letter from Sydney," not mentioned.
- (b) "England and America," Vol. 2, pp. 199-200. Auction.
- (c) 1836 Committee, qu. 748, 752, 754, 766. Change.
- (d) 1840 New Zealand Committee, qu. 341-343.
- (e) "Colonial Gazette," 1/12/41. Both forms are criticised. "Under the uniform plan, the price has been far too low; under the auction plan, the quantity has been far too great or the upset price too low."
- (f) 1841 Committee on South Australia, qu. 262. Is in doubt.
- (g) "Art of Colonisation" (1847), pp. 353-361. Anti-auction. "Lord Grey, who is the parent of the auction system in our colonies, loves it as a mother does her rickety child."
- (h) "Founders of Canterbury," p. 326 (letter of 10/9/50); 88, 49-50 (29/3/49). "I have never been able to meet with anyone who could defend the plan by argument."

54. Wakefield admitted that a high price *did* mean that poorer land would be unsold, but claimed that the progress of cultivation would alter this. That is, he allowed *other* factors than labor to enter price, and conceded that there might be artificial variations *up to* the sufficient price. Yet he would not allow them *over* that price, although this was merely logical.

for the town sites of Canterbury, insisted that the case was "completely exceptional and *sui generis*."<sup>55</sup>

Thus, the first two centres of attack were the "sufficient price" and the uniform price. The third great weakness lay in Wakefield's idea of concentration. He held that a "sufficient price" would secure a well-balanced society and a "concentration of settlement." To him, this was the greatest result of the scheme. It must be clearly realised, however, that this was not geographical concentration. It was not "being huddled into a corner," or, as McCulloch said, defying nature and making "an island of a settlement in a wide continent."<sup>56</sup> On the other hand, "the very effect of the restrictive system," said its founders, was "to promote a *more equable diffusion* of the people over the land."<sup>57</sup>

Concentration meant simply the obtaining of "combinable labor," the securing of a balance of classes in any settlement. It was nothing more than the practical operation of the transition from laborer to land-owner, and meant that there were to be no more "isolated locations" or *coureurs de bois*.<sup>58</sup>

But the positive aim of the "more equable diffusion" was submerged beneath the destructive attacks on "the straggling, higgledy-piggledy system of other colonies,"<sup>59</sup> and concentration came rather to imply opposition to the geographical dispersion of New South Wales than anything else.

However, both Wakefield's concentration and the purely geographical conception became overwhelmed by the dominating fact in the Australia of the late thirties—the emergence of the squatters.

Hence came the fourth great weakness of the Wakefield

55. "Founders of Canterbury," p. 322.

56. "Westminster Review," October, 1834, p. 456, and McCulloch, appx. to "Wealth of Nations"; Cp. Merivale, pp. 272-4, 388; "Quarterly Review," May, 1830, p. 271; and letter in "South Australian Record," 15/1/40, for mistaken concepts.

57. This is clearly seen from the stress which the theorists laid on liberty of appropriation, which was one of the features most emphasised in Wakefield's evidence, before the 1836 Committee; cp. his article in "Colonial Gazette," 1/12/41. At the same time, it was recognised that the immediate occupation of a large country was "*un projet chimérique*." Wakefield quotes with approval Clausel on Algerian conditions.

58. For good statements of concentration, see "England and America," Vol. 2, pp. 142-3; J. Stephens' "South Australia" (1839), pp. 2, 4—"land without combined labor is of no more value than the empty hive without the bee"; Hutt's "Emigration and Colonization" (1830), pp. 6-7, for division of labor aspect; "Letter from Sydney," p. 98; A. Bordier's *La Colonisation Scientifique et les Colonies Françaises*, 1884, p. 165; T. L. Hunt's "Canada and South Australia," p. 38.

59. "South Australian Colonist," No. 2, 17/3/40.



theory—its peculiar view of squatting. Wakefield never really grasped the nature of the Australian squatter, who was to him, until 1840 at least, the small backwoodsman of America. He held that “the charm of property” would prevent an extension of squatting, and could not understand how the squatters were building up property rights by occupation and by the force of numbers, if not by actual recognition. Since “the right of pasturage is not a freehold right,”<sup>60</sup> Wakefield opposed all restrictions, and attacked Governor Bourke even for taxing the squatters.<sup>61</sup>

It was, of course, very difficult for an Englishman to realise the practical situation in Australia, for the squatting movement was completely without precedent. To the theorists, the squatter was only a venturesome farmer, and it was “just as possible to prevent squatting in a colony as it is to prevent it on the extensive districts of Crown land in Wales.”<sup>62</sup> In 1832, for example, Wakefield declared that only one man, Daniel Boone of Kentucky, had ever been totally away from markets and outside the range of concentration. The squatting situation was thus wrongly understood.

But, even when Wakefield *did* realise that there were hordes of squatters, “whom all the power of Government cannot remove,” he could see no discrepancy between this illicit occupation and his system.<sup>63</sup> He even wanted a bifurcated colony, with dear land within “an iron boundary of settlement” and free grass beyond those limits. But, as the lesson of the Nineteen Counties was proving in New South Wales, this was clearly impracticable.

The realisation that people could not be restrained from

60. “Letter from Sydney,” p. 168; “England and America,” Vol. 2, pp. 122, 177; 1836 Committee, qu. 924-6. Cp. 631. “I am not aware of any check” on price “such as the fear of driving settlers to take possession of land on their own account without a title.” Contrast Mill’s “Principles of Political Economy” (3rd edn.), Vol. 2, p. 563, and “Quarterly Review,” May, 1830, p. 272.

61. “Art of Colonisation,” pp. 417-420; “Colonial Gazette,” 1/12/41, “nobody has ever proposed to put a price on the use of natural pasturage,” for there should be “the utmost liberty of use, but never the liberty of appropriation” in this regard.

62. 1836 Committee, qu. 634. But contrast 1840 New Zealand Committee, qu. 276. See 1836 Committee, qu. 954-6. Despite heckling, Wakefield will not admit that labor going to the squatters upsets his ideas in any way. “Colonial Gazette,” 12/8/40, quotes, but in no wise attempts to refute the arguments against Wakefield’s system in relation to the pastoral industry.

63. “Art of Colonisation,” p. 422 et seq. He even went so far as to say (and this was in 1847) that “Under a good and responsibly administered law of colonisation, colonial squatting would be as rare as the invasion of private estates is in this country.”



pushing beyond the boundaries materially changed the whole issue of Wakefield's principles, and, as time went on, he, too, had to seek some way out of the dilemma. He tried to delay the issue by blaming the administrators—the "Excellency captains on the spot"—but was forced to admit that dispersion, since it could not be prevented, was not necessarily inimical to progress. The fundamental fact was that "sheep walks and concentration are not easily reconcilable,"<sup>64</sup> and Wakefield's system came to grief on Australian squatting. His idea of an elastic ring-fence came to mean, in consequence, an inflexible boundary separating two diametrically opposed land policies.

#### IV.—*Practical Importance of the Theory.*

Thus, as a theory, the Wakefield plan was attacked in every portion,<sup>65</sup> and boiled down to a mystical notion of price, a curious relation of price to emigration, and an evasion of squatting, the most striking problem of colonial life. Hampered by the ramifications imposed every year, the theory truly seemed "a tissue of delusions and contradictions."

But this is merely a superficial point of view, for the obvious philosophical weakness of the theory did not affect the situation. The fundamental importance of Wakefield lay in the power he exercised on practical colonisation, while using his theory as a kind of shield; the importance of the theory lay in the individual rules of which it was composed, and in the manner in which these rules were interpreted, not by their framer, but by ordinary persons. The theory, that is, was rather "a series of practical rules," all capable of modification, and each more or less self-contained.<sup>66</sup>

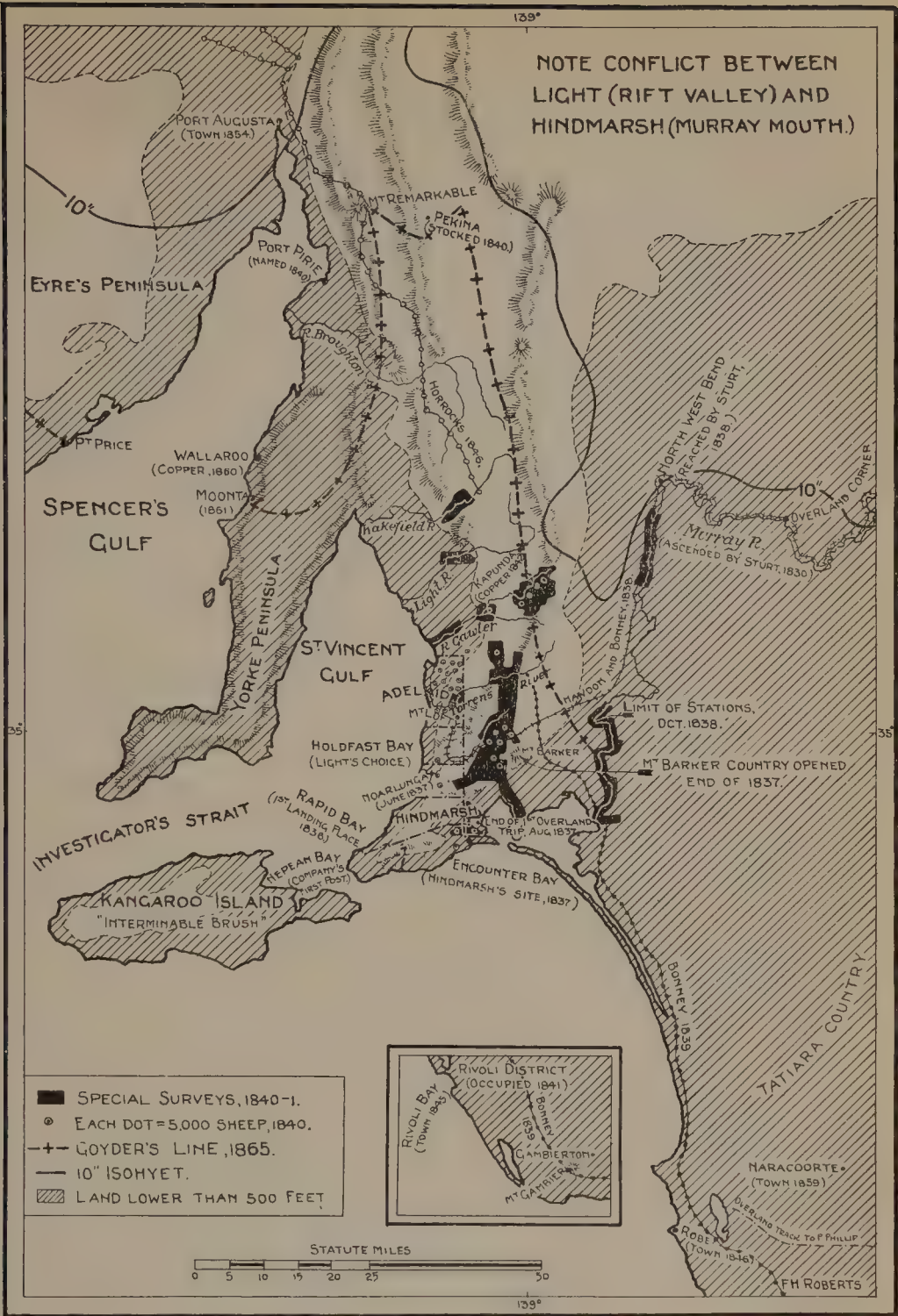
Nevertheless, as an impartial critic observed, "it has transformed Australia."<sup>67</sup> The reason for this is clear, for the

64. "Westminster Review," October, 1834, p. 459; cp. July, 1835, p. 227.

65. Torrens, p. 11; "Westminster Review," October, 1834, pp. 445-6; Matthew, p. 192; Merivale, p. 398. Cp. McCulloch, note 33 to Adam Smith.

66. Leroy-Beaulieu, Vol. 2, p. 376. "*Elle ne constitue pas un système consistant et homogène, dont on ne puisse rien retrancher sans mettre la reste en péril.*" Cp. Merivale, p. 358. In any case, whether the theory was an entity or a series of detached rules, it needs to be supplemented by an essential division. Wakefield did not discriminate between colonies "producing in abundance articles of export or the reverse." This was pointed out by Merivale ("Colonies and Colonisation," 1861, pp. 378-80, 427-8, 274), and elaborated by Leroy-Beaulieu (*Les Nouvelles Sociétés Anglo-Saxonnes*, p. 29). He said, "*le système ne s'appliquait qu'aux terres propres à la culture.*" That is, it applied to "certaines colonies qui sont favorisées pour la production de denrées d'exportation," but not to pastoral countries. Cp. "Edinburgh Review," July, 1840, p. 521.

67. Leroy-Beaulieu, *La Colonisation*, Vol. 2, p. 377.



# THE ORIGIN OF SOUTH AUSTRALIA, 1835-40.

Fig. 22.



practical Wakefieldian ideas, apart from the complete Wakefieldian theory, were of great importance in the land and governmental policies of the colonies.

It was to Wakefield's influence that the experiments of the thirties regarding sales were due. The increase of 1839 and the trial of a uniform price in 1840 were due solely to Wakefield's influence, and the Colonial Land and Emigration Commissioners, appointed in 1840, were Wakefieldians of the purest hue.

The settlement of South Australia was due to the theory, despite the fact that Wakefield quarrelled with the founders. The whole land policy of Port Phillip was dominated by Wakefield's ideas, the district affording a virgin field in which to test Wakefield's policy regarding the squatters. So, too, the Australind settlement was meant to set up in Western Australia the seeds of a movement which would, in time, bring "the scarecrow of civilisation" into line with South Australia. Again, New Zealand was reduced to order under the influence of a company established by Wakefield, and the settlement at Canterbury in the early fifties was a pure Wakefieldian experiment.

From Brazil to Algeria, elements of the theory were put into practice, and Wakefield's ideas of sale and concentration, fragmentary and misinterpreted, dominated colonial land policies in the thirties and forties. His new colonies revived the interest in colonial matters, especially regarding emigration, and directed the reaction against the period of pessimism.

That is, the practical results of some of the mangled parts of Wakefield's theory—a price but not a "sufficient price," emigration but not a wholly systematic emigration, concentration but not Wakefield's labor concentration—far exceeded the importance of the doctrine as a whole. And it was because of this practical trend, due more to the author than the theory, more to its misconception than its understanding, that the ideas were so epoch-making for Australia.



## CHAPTER 8.—WAKEFIELD'S INFLUENCE.—SALES.

The campaign of the "systematic colonisers," commencing in May, 1829, prospered with the attack on Swan River. After being hampered by Under-Secretaries Horton and Hay, they won over Goderich, who managed the colonies for the new Whig Ministry of November, 1830.<sup>1</sup> Within two months, there came a complete reversal of previous land policies, and the establishment of sales as the only mode of obtaining colonial lands (January, 1831).

Indeed, the situation was so clear that a change was inevitable, and the question was, not whether there should be an alteration, but what form should the alteration take? The existing system was one of sales and grants combined, but had been defective in both regards.

There had been abuse in the obtaining of grants, for, while land was allotted in proportion to the applicant's capital, many tables of property were "wholly without reality." "The proof required was no proof at all, and served as a trap to conscience."<sup>2</sup>

Even after allotment, faults were evident. Conditions could not be enforced,<sup>3</sup> and the Government could not interfere before seven years had elapsed. To such an extent had evasion gone on that the Lieutenant-Governor of Van Diemen's Land had suggested a conditional tenure until certain expenditure on improvement.

It is true that a quit-rent was attached to all grants.<sup>4</sup> The

1. The spokesman was Gouger, who fought a "long contest with the judgments of ignorance, the insults of pride and the delays of idleness." "England and America," Vol. 2, pp. 160-1, note. Wakefield ascribed the success of the reformers "not very remotely to the workmen of Paris or M. de Polignac."

2. Bryan's evidence before 1836 Committee of Commons on the disposal of waste lands. Cp. comment in the "Colonist" (Sydney), 16/3/37; Darling-Bathurst, 4/2/27; Arthur-Bathurst, 18/4/28.

3. Goderich-Arthur, 28/1/31.

4. For this question, see Hobart-King, 28/2/02, and the valuable summary in "The Colony of New South Wales for the year 1828," pp. 13-5. Before 1823, the rate was 2/- per 100 acres for free settlers, and 1/8 per 100 acres for convicts. See Government Notices of 5/1/23, and 31/3/25. For alteration to 5 per cent. yearly, see Government order of 5/9/26, changed again in 1828 to 2/- per 100 acres. See "Colonist," 4/5/37.

rate which had previously varied was at least 15/- per 100 acres after 1823, while Darling tried an *ad valorem* rate. But, because there was no real valuation, the matter dragged on, and nobody knew his obligations to the Government, although it was realised by 1831 that the derivation of a revenue from quit-rents was “condemned both by reason and experience.”<sup>5</sup> The difficulty and expense of collection prohibited a return when the land was unimproved, while, if population increased and the land was cultivated, such revenue would be “of trifling importance, and easily to be supplied from other sources.” But this understanding was not enforced and, in the late thirties, there was a demand to end the suspense either by collecting the debt or cancelling it.<sup>6</sup>

Since 1824, there had been sales in addition to grants,<sup>7</sup> but, to the end of 1830, only £19,358 had been received from this source, and the regulation had aided only the capitalist who desired extended grants. There was no minimum price and no certainty in any way.

The result was that much land had been wastefully alienated, and it was estimated that over 90 per cent. of the 5,600,000 acres which had been granted in Australia were unfruitful.<sup>8</sup> Even Goderich admitted that the regulations had not prevented “large tracts of land from being appropriated by persons unable to cultivate and improve them.” The price of grain was very little cheaper than in England, and yet the colonists were for ever protesting against the lack of demand for their produce.

These facts caused the change, and Goderich, in a despatch of January, 1831,<sup>9</sup> analysed the situation:—

“These two apparently inconsistent evils of a high price and of a want of demand lead me to believe that cultivation has been too widely extended and that it would have been more for the interests of the Colony if the Settlers, instead of spreading themselves over so great an extent of territory, had rather applied themselves to the more effectual improvement

5. Goderich-Arthur, 28/1/31.

6. In 1833, settlers were allowed quit-rents at 10, instead of 25 years' purchase. Cp. Piper Papers (MSS., Mitchell Library, Sydney), Vol. 2, pp. 171, 399, 399a. For later rules, see Fitzroy-Gladstone, 9/10/46.

7. See the correspondence in Darling-Bathurst, 22/7/26, for the system. For criticism, see 1836 Committee of Commons, above, qu. 726.

8. Cp. Wakefield's “England and America,” Vol. 2, p. 131.

9. Goderich-Arthur, 28/1/31. In similar terms to Bourke. It is important to note that Goderich was formerly “Prosperity” Robinson, who acted with Huskisson in reforming finance, and later Earl of Ripon; his laws are called “the Ripon Regulations.”

and cultivation of a narrower surface. With concert and mutual assistance, the result of the same labor would probably have been a greater amount of produce; and the cost of transporting it to market would have been a less heavy item in the total cost of production. A different course has, however, been pursued, chiefly, as it appears, owing to the extreme facility of acquiring land, by which every man has been encouraged to become a proprietor, producing what he can by his own unassisted efforts. If these views be correct, what is now required is to check this extreme facility and to encourage the formation of a class of laborers for hire, as the only means of creating a market for the Agricultural produce of the colony, of effecting various improvements and of prosecuting the many branches of industry which are now neglected, while, at the same time, by enabling the Agriculturist to apply the great principle of the division of labor, his produce will be encreased and afforded at a more reasonable rate."<sup>10</sup>

The problem was thus clear; what was the remedy? Various restrictions had failed,<sup>11</sup> so that Goderich completely reversed previous policy. First, he altered and strengthened the law binding indentured laborers to the terms of their engagements. This was to prevent a recurrence of the difficulties which had confronted the great companies, and to foster emigration. It was a step towards the creation of a labor supply and was the first adoption of the Wakefield ideas.

Shortly after, came the decisive step of repealing the existing "complicated and in practice nugatory" regulations regarding alienation. Grants were abolished, and sale by auction at a minimum price of 5/- an acre was to be the only method of obtaining colonial lands in the future. Since easy terms had vitiated the previous regulations, no credit was to be given.<sup>12</sup> But the land, once acquired, was to be free from improvement conditions or monetary dues, it being thought that the cash payment sufficed.

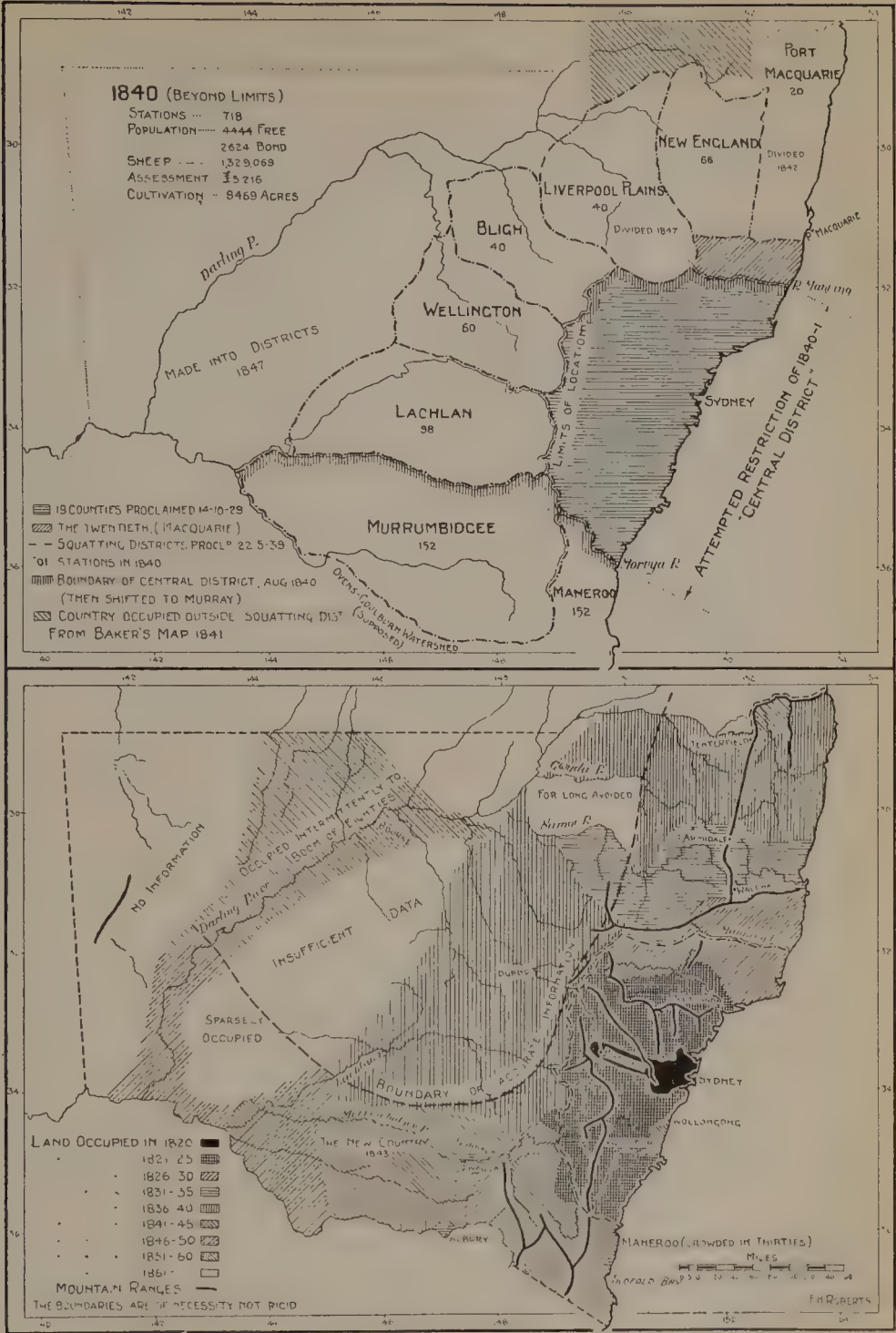
At the same time, the difficulties regarding the previous situation had to be cleared up. Goderich therefore proposed

10. See Parliamentary Debates, Series 3, Vol. 5, 1831, col. 301-2, for the attitude to the change, especially the speeches of Torrens and Howick.

11. E.g., by forbidding grants on the banks of rivers (1827); limiting grants to persons arriving from England (1827); restricting holdings in Cumberland to one square mile (1831).

12. Following the example of United States in 1822. "Sydney Gazette," 7/6/31.





# SQUATTING OCCUPATION OF NEW SOUTH WALES.

Figs. 23-24.





to enforce the quit-rents,<sup>13</sup> but to substitute for the improvement clauses "a small tax on all uncultivated land"—the first proposal in Australia for taxation of unimproved values, and an excellent *via media*. Goderich also repealed the clauses reserving land for church and school purposes,<sup>14</sup> and thus prevented the appearance in Australia of the troubles which occurred in Canada.

Thus was established the principle of sales without conditions,<sup>15</sup> which prevailed throughout Australia until the granting of responsible Government. It is difficult to determine the effects of the change, though clearly the most immediate result proceeded from the substitution of order for chaos.

At first, failure seemed imminent, for the regulations<sup>16</sup> were unpopular everywhere, and public meetings protested against the change as "a positive breach of good faith." In New South Wales, however, the tact of Governor Bourke diminished the trouble of transition,<sup>17</sup> for he made the terms as easy as possible and really allowed selection before survey.<sup>18</sup>

But, in Van Diemen's Land, exactly the reverse happened. While Bourke carried out the spirit at the expense of the letter of the regulations, Arthur, in Van Diemen's Land, evaded both letter and spirit. To prevent unfairness, Goderich had allowed grants to issue to those persons to whom "positive promises" had been given. Acting on this, Arthur issued "promises of grants"<sup>19</sup> in a reckless fashion, and granted nearly

13. Because "those who have acquired their land on terms much more favorably than will in future be granted, should at least be required to abide by the bargain they have made."

14. Goderich-Arthur, 14/6/31. The lands possessed little rental at the time (£1,300 in New South Wales), and Goderich held that, since any that might come in the future would be due "to the industry of adjoining owners," the lands were really "a tax on the industry and capital of the Colonists."

15. "Art of Colonisation," pp. 44-46, "a perfect revolution in the most important function of colonial government." For the abruptness of the change, see "England and America," Vol. 2, p. 172. Cp. Wakefield's "Hutt Bridge Speech (1853)," p. 10; "Colonial Gazette," 4/12/39. Cp. 1836 Committee of Commons on the disposal of waste lands, qu. 731.

16. For regulations, see "Sydney Gazette," 11/6/31. The "Gazette" had not a line of comment on the change for over a month after publishing the regulations. Cp. 22/10/31. See Bourke-Goderich, 9/4/32; Cp. Lhotsky's "New South Wales in 1831," pp. 18-21; Mudie's "Felonry of New South Wales" (1837), pp. 84-5; "Gazette," 21/1/32.

17. Goderich-Arthur, 14/2/31, for anticipation of difficulties.

18. Votes and Proceedings, N.S.W. Council, Vol. 1, 1832, p. 17.

19. For position regarding such promises, see "Colonist," 27/4/37; 6/7/37; 5/10/37. See Votes and Proc., N.S.W. Council, 1832-7, p. 67. Cp., pp. 132-33, 239. Commissioners were established to determine claims "according to equity and good conscience." These must not be confused with the Land Board (1826-31), or the Lands Valuation Commissioners (1829-30). The Commission lasted for two years (1833-35).

a quarter of a million acres in two years (1831-2). The result was that in the first ten years of the new system in the island, more land was granted than sold.<sup>20</sup>

In Swan River, the sales policy was of necessity nugatory, for land was clearly a drug on the market. It was recognised that the grant system had been "pregnant with mischief,"<sup>21</sup> but this could not remove the effects of the 1,200,000 acres which had been granted. The two facts that the Government's minimum was 5/-, and that land would not bring even fivepence, could not be surmounted. "As long as any land by private sale is to be had at a cheaper rate, the Government sales will be a dead letter."<sup>22</sup> But, although sales were out of the question, good results followed the introduction of the new regulations.

Events justified Goderich's contention that "the marketable value of their estates will be enhanced and regulated,"<sup>23</sup> and very gradually the change did something to alleviate the errors of the past by exercising an upward tendency in land values. The new "Perth Gazette" emphasised another positive gain, when it predicted that auction would prove "a wise and salutary measure, inasmuch as it will tend to check the dispersion of our settlers over a wide extent of country."<sup>24</sup> It *did* make settlement turn from a superficial expansion back on itself, and led to development *within* the huge grants of the early years. Ripon's regulations thus led Swan River through a period of land grievances to one of quiet consolidation.

The following table shows the comparative effect of the 1831 regulations in each of the colonies:—<sup>25</sup>

20. The prevalent opinion was that the regulation came too late "to be at all productive to Government, but in time to check emigration." See V.D.L. Company's Outgoing despatch, 238 (5/1/33). Cp. J. Dixon's "The condition and capabilities of V.D.L." (1839), p. 63; "Hobart Town Almanack," 1835, p. 206.

21. Irwin's "W.A." (1836), p. 46. Cp. Labouchere in Commons, 17/3/32. Parliamentary Debates, 3rd. Series, Vol. 60, col. 507. Cp. Hutt-Glenelg, 1/8/39 (Acc. and Papers, 1840, V. 33, p. 106).

22. Ogle's "The Colony of W.A." (1839), p. 89. Cp. Irwin's letter in J. Cross' "Journal of several expeditions made in W.A.," p. 229.

23. Collie MSS. (Federal Parliamentary Library, Australia), letter of 5/5/32, and Shaw Papers (Mitchell Library, Sydney), 21/1/32, for popular opinion. Contrast Goderich's despatch of 8/3/33, in "Perth Gazette," 8/8/35. Cp. "South Australian Record," 20/6/40.

24. "Perth Gazette," No. 8, 23/2/33.

25. See Votes and Proc., N.S.W. Legislative Council, 1843, p. 766. Cp. graph in fig 17.

	N.S.W.	V.D.L.	Swan R.
Amount previously granted	3,963,750	1,493,459	1,200,000
Amount previously sold ..	13,672	20,356	—
Amount sold under 5/-			
Regs. . . . .	1,489,313	239,207	22,327
Amount granted, 1831-8 .	408,036	354,745	723,692

Towards the close of the period (1838), however, conditions in the Australian colonies had materially changed. The tide of immigration had once more set in, and the end of the obnoxious features of transportation was in sight. Pastoralists had pushed their herds to the northern ranges of New South Wales and had spread over the south to Port Phillip. South Australia had been founded on the new principle of a high price for land, and already 64,000 acres of land at St. Vincent's Gulf had realised £40,000 in cash. Ripon's regulations had succeeded,<sup>26</sup> but the advance of settlement had rendered them an anachronism.

Glenelg, the Liberal Secretary of State from 1835 to 1839, was impressed with these facts and repeatedly urged the colonial governors to exercise their power of raising the upset price.<sup>27</sup> "From the rapid increase of population and from the large amount of Sales annually," he wrote in 1837, "I should infer that the Land must have acquired a higher value in New South Wales than it possessed in 1831 and that 5/- an acre is an inadequate minimum price at which land ought generally to be put up for Sale in the Colony."<sup>28</sup>

But the Governors of Van Diemen's Land and New South Wales both refused to move in the matter, for the colonial newspapers opposed such an increase as an "insane idea."<sup>29</sup>

The position, however, was clear, especially after the report of a Committee of the Commons in August, 1836.<sup>30</sup> This report adopted Wakefield's ideas and wished to combine them with the order and system of the American policy. While praising the new system of sales, they emphasised the need for a "more extended operation" and recommended a definite Act of Parliament "in order to give to this Principle a charac-

26. Even before the new settlements and the squatting expansion, the average price at auction had been 7/- (to end of 1836).

27. Goderich-Arthur, 23/7/31. "5/- was intended to be the minimum price for land possessing no peculiar advantages."

28. Glenelg-Bourke, 15/2/37, the first hint of a rise.

29. "Sydney Gazette," 29/4/37; "Colonist," 23/3/37.

30. Report on the Disposal of Waste Lands in the British Colonies, pp. iii.-iv. See comments in "Colonist," 16/3/37, and "Sydney Gazette," 14/2/37; 14/3/37.



ter of permanency and stability, which it does not possess at present." No opinion was given as to the minimum price, although, in the same year, a committee on Transportation recommended a price of not less than £1 an acre.<sup>31</sup> But the whole tenor of the evidence before the Committee on waste lands and its proposals for extensive emigration and a Central Land Board, all pointed towards the need for an increased price.

Despite Bourke's objections, <sup>32</sup> Glenelg adopted the Wakefield ideas which were now in the ascendant and held that Ripon's regulations were not a final settlement, but "merely experimental." The two aims—the assistance of emigration and the provision of labour—had only been partly successful. "So far as regards the encouragement of emigration, the measure has to a considerable degree succeeded, but the extent of land which has been sold and the increasing want of labourers affords decisive proof that the check which it was intended to impose upon the undue dispersion of the inhabitants of the Colony has not been sufficient."<sup>33</sup>

Therefore, in August, 1838, Glenelg ordered the substitution of 12/- for 5/- as the upset price, and made it clear that he contemplated a "still higher" level in the near future.<sup>34</sup>

The result was disastrous, for the reasoning had largely been based on the conditions of new colonies like South Australia and Port Phillip. Applied to old colonies where the best lands had been disposed of,<sup>35</sup> the new price meant stagnation. This result was hastened by other factors, too, for a severe drought commenced in 1839, and there was a reaction

31. Report of Select Committee on Transportation, Acc. and Papers, 1837, Vol. xix., p. 1 et seq.

32. Bourke-Glenelg, 6/9/37. Bourke wished to trust to "the influence of competition" alone, and held that an increased price would check the growing emigration of small capitalists, and would affect the very "foundations of property." For the sequence of ideas, see collection of despatches in Votes and Proc., N.S.W. Legislative Council, 1844, p. 618, et seq.

33. Glenelg-Gipps, 9/8/38; Glenelg-Franklin, 13/8/38.

34. The despatch was received, 16/1/39, and the price was raised by an order of January 23. See Gipps-Glenelg, 1/4/39. For public opinion, see J. Macarthur's "N.S.W. Its present state and future prospects" (1837), p. 171. The rise was attributed directly to "the scheming of the South Australian Company." Cp. MS. letter of Captain P. King to Mitchell (Mitchell Library, Sydney), 3/2/39.

35. See Lands MSS. (Mitchell Library), for Mitchell-Col. Sec., 17/6/41, showing proportion of alienated and remaining land in the Nineteen Counties. 4,910,281 acres had gone, and 19,172,063, mostly stony, remained.

against the speculations<sup>36</sup> which had been going on for some time.

Thus, the state of affairs which the home authorities believed to exist in New South Wales when they formulated the new regulations of 1839 was wholly fictitious. For instance, Glenelg had assumed—logically enough—that the prices realised by auction represented the actual value of the land, but Mitchell, the Surveyor-General, pointed out that the prices thus obtained were “**considerably beyond their real value.**”<sup>37</sup> A spirit of speculation had been rampant, especially when, as in Port Phillip, the land offered was inadequate to meet the demand.

By 1840, therefore, the land policy of the Australian colonies was unsuitable. The older colonies were worked out and, unless there were large expenditures on surveys and roads, could not compete with the newer districts. New South Wales proper was undergoing a drought and a panic; Van Diemen's Land was in a state of stultification because of the new mainland settlements; Port Phillip was racked with speculation in land values; South Australia was facing financial disaster; and Western Australia had relapsed to backwardness again.<sup>38</sup>

To remedy this, appeal was made to the new Colonial Land and Emigration Commissioners<sup>39</sup> who had been appointed in January, 1840, and who were wedded to Wakefield's ideas. Their solution of the problem was to go further along the lines of the 1839 regulations. Since the failure of the 12/- regulations was ascribed only to their incompleteness, they were superseded in 1840 by regulations which were purely Wakefieldian.

36. E.g., “S.A. Land and Loan Company”; “S.A. Land Company”; “S.A. Protestant Emigration Community,” etc. See S.A. Papers (MSS., Mitchell Library), 153; 161. There were companies for religious and speculative purposes, for Germans and Irish, for cottiers and politicians, all founded on land. Cp. similar activity in N.S.W. See Gipps-Lord John Russell, 19/12/40, and “Gipps' memo. in land policies,” 1831-1840, p. 5, in Votes and Proc., N.S.W., 1842, p. 15.

37. Mitchell's evidence before 1841 Committee of Council on Immigration (Votes and Proc., 1841, p. 236); “the result has been a great profit to speculators without any material benefit to the Land Fund.”

38. For transactions under the 1839 regulations, see N.S.W. Votes and Proceedings, 1843, p. 766. “Sydney Gazette,” 5, 9/2/39.

39. Accounts and Papers, 1840, Vol. 33, paper 35, pp. 7-18, for their instructions. “The Australian colonies must be the principal field for your operations.” The Commissioners were Torrens, F. F. Elliot and E. E. Villiers, and their duties were to provide information, to sell colonial lands, and to apply funds to emigration. They reported annually from 1840 to 1873, and a proper estimate of their services remains to be written.

Auction, since it had caused speculation, was replaced by a fixed uniform price<sup>40</sup> and 12/-, since it had failed to achieve the desired ends, by £1<sup>41</sup>. But, because of the exhaustion and the peculiar conditions of the Nineteen Counties, the previous system of auction and the old upset price were to be retained. To enforce these regulations, the Moreton Bay and Port Phillip districts were separated from the old counties, which henceforth formed the Central District.

The reason for this change was clear. "We recommend this price," said the Commissioners, "because in South Australia it has been found to answer well, not discouraging the sale of lands, nor yet causing them to be alienated with any excessive rapidity; and we should infer from the analagous circumstances of the other settlements that the same effects may be anticipated there." Yet no analysis was made of the actual conditions in "the other settlements"; no inquiry into the causes of the crisis was deemed necessary. Whatever the disease, the same remedy would have been applied.

There can be no doubt that these regulations, coming at a period of crisis, were unwise. Glenelg, in raising the price in 1839, had argued logically from the facts as he knew them, but the new Commissioners looked merely at theory. It was a triumph for Wakefield's principles dearly bought by the neglect of actual conditions.

Coupled with this increased and uniform price was a new idea. The Commissioners held that, if the price were high enough to prevent excessive appropriations, it was better "that the dealings of the Government in Land should tend towards a wholesale character, than that they should principally be in detail."<sup>42</sup> Therefore, "special surveys" were allowed. Anywhere outside the Nineteen Counties, an individual or company could apply for a section of 8 square miles to be surveyed in one block and sold at the uniform price. Such a proceeding, it was thought, would enhance the revenue and attract capitalists to the colony. It would open up the back country and allow townships to be formed by individual enterprise. Special surveys would be nuclei for later settlements

40. For criticisms of previous policy, see "S.A. Record," 14/3/40; "Tasmanian and Austral-Asiatic Review" (Hobart), 1/9/37; Gipps-Lord John Russell, 1/2/41.

41. Colonial Lands and Emigration Commissioners-Russell, 28/1/40, 15/4/40, 3/8/40, for development of scheme. "Sydney Gazette," 16/3/41.

42. C. L. and E. C.-Russell, 3/8/40, sent to Gipps, 5/8/40.



and the capitalist was to be the forerunner of the small farmer. This provision was the famous *Section 9*, and was typical of the emphasis placed throughout the regulations on capital and individual action. It was typical, too, of the mechanical and artificial nature of the 1840 regulations, for the idea of an orderly penetration of the land, first by special-survey holders, then by farmers, appealed to the Colonial Land and Emigration Commissioners who did not consider whether actual settlement<sup>43</sup> really went on in this manner.

The result was to be expected. Everywhere, the regulations evoked discontent, the New South Wales Council in particular objecting to the "dismemberment" of the territory and to the proposed boundaries.<sup>44</sup> Numerous Committees opposed the high price as impolitic and every witness<sup>45</sup>—brokers and merchants, Surveyor-General and landholders—joined in the cry. In theory and practice, in conception and results, the new policy was attacked, Governor Gipps leading the way.

Firstly, there were the lessons of the past. The rise to 12/- had exercised evil results which would be intensified if the price were 20/-. Already, there had been "an indisposition on the part of the public" to purchase country lands and a tendency to speculate in town holdings.<sup>46</sup>

Going further, Gipps held that a fixed price meant "a real scramble" and a sacrifice of revenue. It was unwise, too, in that it picked one set of determining criteria and thrust aside the remainder. Thus, adopting the price of agricultural land and the premises of the Colonial Land and Emigration Commissioners, the Governor computed that, by Wakefield's principles, the uniform price for pastoral lands would be about fourpence an acre—"anything more than fourpence is too much, anything less than fourpence is too little."<sup>47</sup> This result was reached by using the labor factors stressed by Wakefield, but, by different sets of calculating factors, any price from fourpence to £1 could be rigidly fixed. In a word, said Gipps, the price should be determined by the market and not by theory.

43. Gipps held that it meant the reverse, and that *Section 9* was opposed to the aim of the regulations for, while the aim of the high price was to prevent dispersion, special surveys extended it.

44. See Fig. 23.

45. E.g., every witness before the Committee on the Debenture Bill, 1841. *Votes and Proc.*, N.S.W., 1841, pp. 457-79.

46. Gipps-Russell, 9/12/40.

47. *Votes and Proc.*, N.S.W. Council, Vol. 14, 1842, p. 18.



A fixed uniform price thus secured "appropriation" of lands, but neither "occupation" nor "cultivation." That the price was too high prevented sales; that it was uniform favored speculation and neglected the interests of the Government.

The practical operation of the regulations of May, 1840, justified every contention of Gipps, for at once the land fund dwindled away<sup>48</sup> until the ordinary administrative expenses, not to mention emigration, could no longer be defrayed by it. Cultivation decreased and grain imports increased,<sup>49</sup> for the high price of land, unsupported by a protective duty on grain, rendered competition with the Cape and South America impossible. An annual deficit of £300,000 and an increase of prices, out of all proportion to the drought, were the immediate results of the fifteen months' operation of the uniform price.

Similar results had been experienced elsewhere, especially in South Australia, where the uniform price applied even to town lands. By contrast, the towns of the new Port Phillip district were showing the efficacy of auction. At the first sale of Portland Bay, for example, lands which would have brought £337 at a fixed price realised £17,245, while, had a fixed price been applied to Melbourne, £24,000 would have been lost.<sup>50</sup>

At the same time, the special surveys had led to monopoly of desirable sites in Port Phillip and South Australia, and even Lord John Russell, who had always given in to the Colonial Land and Emigration Commissioners, saw that a change was necessary. A Committee on South Australia, reporting in June, 1841<sup>51</sup>, also condemned the uniform price and recommended auction as the only mode of giving equal opportunities to purchasers and justice to the State.

At this time, there were four strands in the situation. First, the more important colonies, led by Gipps of New South Wales and Latrobe of Port Phillip, opposed a fixed price. Secondly, some lesser colonies, under the leadership of Franklin of Van Diemen's Land and Stirling of Western Australia,

48. E.g., in 1840, land sales amounted to £97,000, and in the years immediately following, £19,235; £11,844; £5,311; £6,745.

49. Votes and Proc., Vol. 13, 1841, p. 173, for petition against imports.

50. Gipps' despatch of 27/10/40; Cp. Second Report of S.A. Committee, p. 11.

51. Second Report of Select Committee on S.A., 10/6/41, pp. xi.-xxiii. See comments of C.L. and E.C. in their despatch to Stanley, 18/10/41.





wanted a uniform rate.<sup>52</sup> Thirdly, the Committee on South Australia and the Commons generally wanted a combination of auction with the right to take unsold lands at the fixed price. Lastly, there were the Colonial Land and Emigration Commissioners who refused to part one jot from their Wakefield theory, even though experience was continually pointing out its faults. Between these, Russell, the Secretary of State, dallied, until the union of the first and third elements became too strong for him.

In instructions of August, 1841,<sup>53</sup>—a few days before he left office—he brought about the revival of auction in the Australian colonies, and thus once more secured uniformity. But Lord Stanley, the new Secretary of State, went further. In September, 1841, with the advent of Peel's ministry, a most salutary influence was felt in the colonial field. Eloquent and strong-minded, Stanley clarified the issue and, with his restless oratory, brought it home to the Commons.<sup>54</sup>

He wanted a clean sheet in colonial land matters. There had to be stability, uniformity, permanency. Irrespective of any Wakefield theory or Park Street Commissioners, order and simplicity were to be introduced. At once (Feb., 1842), Stanley introduced a Bill to secure these points and to remove "the constantly fluctuating systems pursued as to the sale of land, in Australia particularly." The only previous system was "a system of perpetual change"<sup>55</sup> and, to secure uniformity, Stanley suggested parliamentary control. "He had great objection to having the principle and the system different in the various colonies. He saw no reason that the principle of sale by auction should exist in one colony and that a fixed price should prevail in another. He saw no reason why Port Phillip should have one system, Sydney another—why Western Australia should differ in that respect from South Australia, and New Zealand from all. He proposed to apply the same system by Act of Parliament to all the colonies."

And this statement to the Commons Stanley carried out in

52. Stanley-Gipps, 18/10/41, enclosure C.L. and E.C.—Russell, 17/7/41. The third party wanted a mixed system with a raised price, the fourth, the same mixed system without a rise and with more concessions to squatters.

53. Russell-Gipps, 21/8/41, i.e., uniformity in all three parts of New South Wales; auction first, purchase at upset price if unsold. Cp. Stanley-Gipps, 18/11/41.

54. For estimate of Stanley, see "Atlas" (Sydney), 28/12/44; "Colonial Gazette," 4/1/45; "London Examiner," quoted in "Atlas," 11/10/45.

55. Parliamentary Debates, 3rd Series, Vol. 60, 1842, col. 77-81. Cp. Stanley-Gipps, 15/9/42.



practice. In the first half of 1842, the Bill was passed, "with scarcely a dissentient voice in either House of Parliament,"<sup>56</sup> and the Governor's royal instructions were replaced by parliamentary ones. Stanley deliberately curtailed his own powers and took away from the Colonial Secretary of State the power to alter colonial land laws, for his predecessors had frequently altered the entire system "of their own authority, clearly without the control, and almost without the knowledge of Parliament."<sup>57</sup> No longer could a Ripon issue sales regulations or a Glenelg raise the price arbitrarily, or a Lord John Russell introduce a uniform system. Hereafter that was a prerogative of Parliament.

That is, after January, 1843, there was a Parliamentary system, with auction at a minimum of £1, and the proceeds rigidly earmarked for certain purposes.<sup>58</sup>

But colonial critics turned with renewed vigor to the high upset price and, all through the forties, land agitation remained acute. Hostility to the Wakefield system—"the delusive theory of colonisation sanctioned by the Act of Parliament"<sup>59</sup>—grew apace. Petitions literally poured into the Legislative Council from the country districts of New South Wales in 1843 and Select Committees of that year (Murray's) and of 1844 (Cowper's) opposed Stanley's Act in unmeasured terms.<sup>60</sup> Auction with a low minimum price was the desired end and evidence clearly proved that the facts on which Imperial policy had been decided since 1838 were untrustworthy.

To alter the price and mode of disposal of colonial lands five times in eleven years<sup>61</sup> was in itself impolitic; to base

56. For passage of Bill, see *Debates*, 3rd Series, Vol. 61-64, 1842. Assented to, 22/6/43.

57. Stanley-Gipps, 15/9/42; cp. col. 86 of *Debates*, Vol. 60, 1842.

58. E.g., half to emigration, not more than 15 per cent. to the aboriginals. "But should the circumstances of the Colony be such as to render a large outlay on Emigration desirable, and the means from other sources adequate to meet the current expenditure, there is no reason why a sum equal to the whole gross amount of the proceeds of the Land Sales should not be directed to that Object." Stanley-Australian Governors, 15/9/42.

59. Report of 1844 Committee of Council (Cowper's), p. 1, N.S.W. Votes and Proc., 1844, Vol. 2, p. 123.

60. Also Broughton's Committee on Emigration, 1842. Cp. petition in N.S.W. Votes and Proc., 1843, pp. 13, 77; and the 23 petitions in 1844. See Votes and Proc., 1844, Vol. 2, pp. 143-93, for objections. Murray's Committee reported that the Act "cannot but be injurious in its operation; that it is calculated to prevent immigration to these shores, to withdraw capital from the country, and to prevent the permanent occupancy of the soil."

61. "Atlas," 18/10/45.

these alterations on false premises was suicidal. The temporary cheapness of money, the "fictitious value" of property owing to excessive spending, the competition of banks "in gorging the public with discounts" and "the land mania" all combined to produce a false situation.<sup>62</sup> The whole trouble lay in the fact that land was judged by its exchangeable and not its productive value. It would have been equally logical to have deduced a price from the distressed condition of 1843 as from the boom of 1838, or from the stultification of Swan River as from the vigor of South Australia. Consequently, the Land Fund in New South Wales remained depleted, and less than £100,000 of land<sup>63</sup> was sold in the eight years from Stanley's Act to the gold discoveries. This was only to be expected when the Australian colonies had a minimum price four times that of Canada and ten times that of South Africa.<sup>64</sup>

In this period (1843-51), the price of land attracted almost as much notice as the squatting question, and gradually the principles of the opposition became clearly expressed. Briefly, it was a war with Wakefield's ideas. Price was "entirely a secondary and trivial consideration"; freedom of selection was the goal. The liberals endeavoured to eliminate the "narrow circle" which government had prescribed as the alienable area, and held that "Government ought to interfere with the *quantum* of alienation as little as possible."<sup>65</sup> But, above all, the colony had to lose its unenviable position of being "the dearest land market in the world."<sup>66</sup>

At first, it was thought that perhaps land was not sold on account of the general depression, but even the prosperity after 1846 saw no change. Every other market showed a rise in values, and it was proved that the official price meant the repudiation of the law of supply and demand. "It is perfectly immaterial," reported Lowe's Committee in 1847, "whether the minimum price be fixed at £1 or £20 an acre,"<sup>67</sup> for both were unattainable.

62. Report of 1843 Committee on Land Bill, in N.S.W. Votes and Proc., 1843, p. 767.

63. Votes and Proc., N.S.W. Council, 1852, Vol. 2, for sales from 1837 to 1851. See fig. 17.

64. Report of 1844 Committee on Crown Land Grievances (N.S.W.), p. 3. The prices were:—Upper Canada, 6/7; Lower C., 4/11; Ceylon, 5/-; Cape of Good Hope, 2/-.

65. "Atlas," 8/3/45.

66. Minutes of evidence of 1844 Committee, above, p. 147.

67. Report in Votes and Proc., N.S.W., 1847, Vol. 2, p. 513, et seq. Cp. Nicholson-Scott, 29/7/47, in Votes and Proc., 1847, Vol. 1, p. 308.

But Gipps, the Governor until 1846, stood his ground. Though never "a blind follower of what is called the theory of systematic colonisation," he remained an advocate of a high price, although it was clear to him that only the very best land would realise £1 an acre.<sup>68</sup> But, since he wished to restrain excessive alienation, that was most desirable, and first Stanley and then Grey, supported him.

The difference between the two attitudes was that, while the colonial liberals looked only to the present, Gipps and the Colonial Office had a more comprehensive view. Probably neither side was wholly correct,<sup>69</sup> although the future justified Gipps, Stanley, and Grey.

The agitation, however, continued<sup>70</sup> until it was broken up by the 1847 Order-in-Council. The squatters, hitherto the backbone of the colonial opposition, now withdrew, for, since the Order gave them security without purchase, what interest had they in a reduced price?<sup>71</sup> The popular party therefore became distinct from the squatters; and selection for small farmers,<sup>72</sup> instead of a lower price for large buyers, now became the objective. About 1850, quietness in land matters set

68. Gipps-Stanley, 17/1/44. "I am an advocate of selling at a comparatively high price, or not at all; and the events which have occurred in this Colony since September, 1842, are not of a character to cause me to alter those opinions." To him, the rise in price was not to swell the revenue, but to sell only the best land. Moreover, he argued, it was by no means clear as to how far the stoppage of sales was due to the excessive purchases before 1838. It could not have been due to the crisis of the early forties in view of the rise in other markets; but the purchases before 1838 could easily suffice for the increase of population after 1837. For Grey's attitude to these arguments, see despatches to Gipps, 29/1/45; 29/11/46; and report of C.L. and E.C. to Grey, 31/9/44. For the colonial attitude, see Votes and Proc. (N.S.W.), 1845, p. 333; Lowe's 1847 Committee, p. 2.

69. It was clearly unnecessary to raise the price from 12/-, and the failure to raise a large emigration fund was not expected. Moreover, it is a moot point as to whether Gipps' theory of excessive sales in the thirties was correct, for, just when this land was absorbed, the crisis of 1847 came and prevented the testing of his arguments. On the other hand, throughout the agitation was seen the hand of the squatters, who erred in using the excessive sales of the boom period as the basis of their calculation for normal years, just as the Colonial Office erred in arguing from the premises of 1838 to fix a price for later years. The colonists, therefore, fell into the very error of which they accused the Government. The final word was in 1850, after the report of Lowe's 1849 Committee. See Votes and Proc., 1849, Vol. 2, p. 545 et seq., and Grey-Fitzroy, 14/8/50.

70. Cp. opposition to "the miserable sophistries of the Systematic Colonisers" (Cowper's 1844 Committee, p. 123), "the baseless theory" of Lowe's 1849 Report. Cp. "Heads of the People," 18/12/47.

71. "Atlas," 20/5/48.

72. "Colonial Gazette," 18/1/45; "Atlas," 14/6/45; 3/6/48. "If small proprietors are the backbone of any state, then surely New South Wales cannot be classed among the vertebrata."









in<sup>73</sup> and with it a gradual recovery of the land fund. Then came the cataclysm of the gold discoveries which vitally changed the whole situation.

The experiment of sales at 12/- and 20/- was thus not a success. Whether this was due to the crises or the previous speculation or the abruptness of the change or the strength of the squatters cannot be determined. The fact remains that only £370,000 of land was sold in these 13 years (1839-51) and that, during this period, there was never a sufficient emigration or labor supply. In every colony, the same experience occurred and Wakefield's notions—admitting that they were only fragmentarily applied—failed to bear the test of practical conditions in the matter of price. Not till Australia replaced the idea of sale at a high price by that of conditional selection was a successful policy evolved.

73. Lowe-Mitchell, 1/4/51 (MS. Mitchell Library, Sydney); cp. rejection of his 1848 motions.

## CHAPTER 9.—WAKEFIELD'S INFLUENCE.—THE CONVICT SYSTEM.

The land policy of Australia was intimately bound up with the labor supply and for half a century possessed peculiar features because that labor supply consisted of transported convicts. The facts that Australia was primarily a convict settlement,<sup>1</sup> that felons nearly equalled the free population for forty years, that the Government was one of unusual restraint to deal with such a population, and that there was a conflict between bond and free labor, all influenced the land situation. And, in agitating for a new policy in 1830, the Wakefield reformers had to take these factors into account.

At first, Governor Phillip,<sup>2</sup> who had received no instructions in this regard, attempted to make small farmers out of untrustworthy convicts but, for thirty years, the tiny farms of the emancipists were a trouble to the administration. The lack of capital, the want of training, unsteady habits and undue reliance on the Government<sup>3</sup> soon combined to make it clear that no solution of the labor or production problems could be reached by means of a convict peasant proprietary.

But what alternative remained? The public works were not numerous enough to provide work for thousands of convicts and besides the primary need was food. The position was that the Government could not employ the convicts and the convicts could not work for themselves. One thing remained and the practice grew up of allowing convicts to be "assigned" to private labor,<sup>4</sup> that is, they were given as ser-

1. Cp. the arguments of Macquarie and King, the latter of whom said that "this Colony was formed for the express purpose of receiving Prisoners." For the prevalent opinion, see "Short Review of the Political State of Great Britain at the Commencement of the Year 1787" (6th edn.).

2. For Phillip's views, see Historical Records of New Zealand, Vol. 1, *passim*.

3. Collins' "Account" (1911 reprint), pp. 42, 64-5, 81; Paterson (1811), pp. 69-70, 94-5. "You can't make farmers out of pickpockets."

4. For assignment regulations, see Historical Records of Australia, Vol. 1, pp. 3, 36-37, and note in Vol. 2, p. 711. Grose had frequently assigned convicts, and Hunter was ordered to do so by Section 15 of his instructions.

vants first to the officers and later to free emigrants and even to fellow convicts who had served their sentence.

There were no fixed rules at first and officers set the example of obtaining as many "Government men" as possible and allowing the administration to feed and clothe them. This abuse led to the first pronouncement of English policy on the subject for, while Portland, the Secretary of State, did not object to the system of giving convicts to private persons, he held that it was unfair to make the Government support the convicts and at the same time buy the produce of their labor. "The individual has all the profit and the public experiences nothing but loss."<sup>5</sup> But, although Hunter attempted to remove the abuse in 1796, nothing was done until King limited the number of convicts assigned<sup>6</sup> and established the principle that assigned convicts were "to be of no expense whatever to the public."<sup>7</sup>

After this restriction, a system slowly emerged. As each transport arrived, the convicts were mustered, mechanics were set aside for public work and, of the remainder, such men as were not needed for Government purposes were distributed to the settlers. In New South Wales, the Superintendent of Convicts and, in Van Diemen's Land, the Lieutenant-Governor allotted a certain number to each district and allowed the magistrates to distribute them within the district.<sup>8</sup>

As a rule, about two-thirds of the convicts were allotted for private service and served as farm-hands or shepherds. By Hunter's orders of 1798-99, each man had to labor 56 hours a week, after which he could work for wages. In time the practice grew up of allowing fixed wages of £10 a year, the convict laboring from sunrise to sunset.<sup>9</sup> Thus, a convict in

5. Portland-Hunter, 31/8/97. For attitude of officers, see Historical Records of Australia, Vol. 1, Series 1, pp. 647-8. Cp. Hunter-Portland, 20/8/98.

6. Order of 1/10/00, enclosed in King-Portland, 28/9/00. Each officer was to have two men only, unless he was farming.

7. General Order of 18/6/01, in King-Under Sec. King, 21/8/01.

8. Bigge's First Report, pp. 18-19; 1837 Committee of Commons on Transportation, qu. 4251-2; Calder MSS. (Melbourne Public Library), Vol. 1, pp. 163-74. Cp. 1811 Committee on Transportation, pp. 11-12. For emergence of assignment boards, see 1837 Committee above, qu. 1195-7.

9. Reinforced by King ("Sydney Gazette," 15/1/04); Historical Records of Australia, Series 3, Vol. 3, p. 281. At first convicts could work for other masters after 3 o'clock, but, as this led to difficulties, the master came to obtain the first right of refusal and the convict compounded the right of working for himself in return for pay.



Australia had a eucalyptus-bark hut of his own and received wages while he was serving his sentence.

All convicts had to assemble at the nearest magistrate's for a weekly muster which served to maintain central control in outlying districts.<sup>10</sup> Assignees were forbidden to travel beyond their district without a pass and settlers employing such men were severely punished.<sup>11</sup> The master had still further control, for, by taking a recalcitrant servant to a magistrate, industry could be induced by means of the lash and triangle. The effect was that in reality a plentiful supply of slave labor, with all of its cheapness and inefficiency, was available to the farmer or stockholder.

Still another source of cheap labor remained in the shape of "ticket of leave" men<sup>12</sup> and convicts holding conditional pardons. By obtaining a "ticket of leave," a man could "apply his labor to his own benefit in any district that he may choose" and could obtain property rights. Although the rule was that three years' service was necessary for a "ticket of leave" and ten for the greater privilege of a conditional pardon, such rewards were granted haphazardly. These men really formed a class of laborers who had almost the freedom of emigrants but who underbid free laborers in the market. They were numerous in proportion to the total population, for Macquarie alone afforded privileges to 4800 men in ten years, whereas the entire population at the end of this period was only 16,000. In Van Diemen's Land, owing to Sorell's policy, two-thirds of the total number of convicts had tickets of leave in 1820, and it must be remembered that these men served on cattle ranges "distant sometimes 30 or 40 miles from their master's estates."<sup>13</sup>

In addition to both assigned men and "ticket of leave" holders, settlers could employ convicts still in Government hands during part of each day and at times secured the help of gangs of convicts for harvesting or planting.

Thus a large reserve of cheap labor could be used in the

10. For notices, see "Sydney Gazette," 10/9/14; "Hobart Town Gazette," 16/8/17, 25/9/19.

11. "Sydney Gazette," 10/7/03. A further check on the settlers was in the obligation to retain a convict for at least a year. See Bigge's First Report, pp. 75-76; "Hobart Town Gazette," 22/8/18.

12. For ticket of leave, see Historical Records of Australia, Series 3, Vol. 3, p. 515.

13. Bigge's First Report, p. 67.

infancy of the Australian settlements and land settlement was enabled to proceed in the same proportion as the supply of convict servants. To the end of Macquarie's period (1821), 22,600 male convicts had been sent to New South Wales and Van Diemen's Land and, of these, probably two-thirds or 14,000 were assigned, 350,000 acres of land being granted during the same period.<sup>14</sup>

Though Macquarie temporarily retarded assignment by keeping the bulk of the convicts for public works,<sup>15</sup> it became the practice after his recall to allow *all* convicts (save mechanics) to be assigned immediately on landing.

This trend was hastened by the report of Commissioner Bigge who wished to stop the growing independence of the ticket of leave men on the one hand and, on the other, to leave as few convicts as possible in Government employ. In general, Bigge endeavored to make assignment a means of securing to "the most respectable settlers"<sup>16</sup> a fixed supply of labor and wished to assimilate the convict's lot to the position of the slave in the cotton states of America.

But loopholes still remained for the convicts to obtain freedom of movement and when, as from the mid-twenties onwards, the supply was less than the demand, no legal ban such as Bigge contemplated could withhold wages from the assigned servant.

This scarcity lasted until the Wakefield attacks. At that time, the outstanding feature of the situation was the demand of the colonists for more convicts, for none could gainsay the prosperity of the colonies under this *régime*. Even Wakefield admitted that the colonists owed "everything over and above mere subsistence, to the wickedness of the people of England" and a Committee on Transportation (1839) said that it was clear that "the extraordinary wealth of these colonies was occasioned by the regular and increasing supply of convict laborers."<sup>17</sup> New South Wales was demanding 10,000 additional convicts to open up her lands and almost yearly Swan

14. For figures to 1810, see Commons paper 45 of 1810, p. 59. Number transported to this date was 10,729.

15. E.g., of 11,767 who landed between 1814 and 1820, the Governor took 4,587. Cp. Bigge's First Report, p. 23.

16. Bigge's First Report, pp. 157-173. He particularly stressed "the employment of convicts in the management of sheep."

17. 1838 Committee on Transportation, p. xxlv. Cp. MS. letter. A. Lord-Immigration Commission, 1841 (Mitchell Library, Sydney).

River was requesting transportation as a means of restoring her prosperity.

But the attacks of the reformers caused something like a balance sheet of the convict system, with its good and bad points, to be drawn up. On the one hand, there were the material gains. In all directions, the convicts had prepared the way for settlement. As Brisbane said in 1825, it was "always the preferable mode to form a penal Settlement, in the first instance, in order to pave the way for the free Settler, who could never venture so far amongst savage Tribes, until Government had preceded them."<sup>18</sup> Convicts would undertake hazardous explorations in the hope of winning their freedom; they could clear the ground in far-off posts like Moreton Bay; roads and bridges could be made by their chained gangs;<sup>19</sup> and all manner of public works could easily progress in this way. Shingle-splitting on the Parramatta, erecting buildings in the Governor's new towns, oyster-liming on the Nepean, stone-cutting in the quarries on the mountain road, road-making throughout Cumberland county, building churches and cutting cedar, digging coal and setting up outposts against the natives—all of these were the services of convicts from Moreton Bay in the north to Wollongong in the south, from Sydney to Wellington Valley in the then remote west.

Then again, the Government could use its man-power in agricultural experiments and could afford an object lesson to the settlers.<sup>20</sup> In the very early days, convict agriculture had enabled the Government to cope with the food problem but, with the rise of the small settlers, the penal farms at Castle Hill and Toongabbee were abandoned. But in 1819 the need of feeding the stock led to a revival and the Government, using 600 convicts on three farms near Sydney, exhibited to the colonists "several of the processes of English husbandry."<sup>21</sup>

Convict agriculture thus taught the benefits of improved and intensive agriculture and the experiment was approved

18. Brisbane—Under Sec. Horton, 24/8/35.

19. Macarthur saw no other way of making roads than by convicts. 1837 Committee on Transportation, qu. 3,169.

20. Collins' "Account" (1911 reprint), pp. 64, 233-4. Cp. Freycinet's *Voyage autour du Monde* (1837), Vol. 3, pp. 958-959.

21. Bigge's First Report, pp. 24-5; 37-8. Cp. Pilorgerie's *Histoire de Botany Bay* (1839), pp. 227-8. Bigge said that convicts gave "an opportunity of making those experiments in agriculture, which the limited means of the settlers in New South Wales would not generally admit."



and largely extended by Bigge. Perceiving how graziers would expand from the Nepean in all directions, he proposed that the stockholders should be given licenses in proportion to the number of convicts maintained and spoke of the penetration of the interior by convict outposts, "at a distance of not less than 120 or 150 miles from the sea coast."<sup>22</sup> But this scheme by which the convicts would have formed the new material for the occupation of the interior never came to fruition.

It was tried in one form in the outposts stationed at strategic points to pave the way for free settlers, the most important, Port Macquarie, being an experiment of convict agriculture on a large scale. Set up in 1821, the settlement consisted of as many as 1400 convicts and an Agricultural Superintendent. For seven years the convicts labored before free settlers were allowed, and even then the convict farms went on to ensure a food supply to the newcomers.<sup>23</sup> Then the bulk moved further north to Moreton Bay where the same process was repeated until 1840, when the approach of the stockmen led to a project to move to the more remote settlement of North Australia. Convicts thus went to untamed fields a few years in advance of settlement and in this sense made the land fruitful.

These were the results to the Government; equally important were the effects on the private settlers. When they could obtain up to 130 assigned servants<sup>24</sup> the labor question was much simplified and, though it is difficult to generalise, it is clear that the advantages to the settler far outweighed the uncertainty. The assigned servant certainly had "a fuller diet and a less amount of labor" than the English laborer and, in New South Wales at least, was frequently of a good type.<sup>25</sup> Convict shepherds were more regular in their habits than free

22. Bigge's First Report, p. 162.

23. See Macquarie's MS. Diary, 8/5/19, 1/6/19, 25/11/20, 17/3/21; Wentworth Papers (Mitchell Library, Sydney), p. 237. For details, see the following MSS. in the Mitchell Library:—Port Macquarie Letter Book, 1825-35, and the letters between the Colonial Secretary and the magistrate at Port Macquarie (1828-1836). Also Piper Papers, Vol. 3, p. 71, for letter of Commandant Allman and the general report in Macquarie-Bathurst, 17/7/21.

24. 1837 Committee on Transportation, qu. 2,493. For costs, see pamphlet by Macqueen, 1819, and "Australian Magazine," February, 1838, p. 144.

25. Journal of Australian Historical Society, Vol. 7, 1921, p. 185; Dixon MSS. (Mitchell Library), 2/8/21. Cp. Arthur's evidence before 1837 Committee, esp. qu. 4412. See Normanby-Franklin, 23/1/39, for a good type—"Yeoman" rebels of Quebec.



men<sup>26</sup> while the fear of the Coal River usually kept the agricultural laborer in order. This pioneer work afforded a chance to many who had suffered through the harshness of the English penal code, and Sydney Smith<sup>27</sup> had an inkling of truth even in his sarcasm. One side of the convict system thus meant cheap labor to the settler and hope to the convict. But this was only one side.

Another gain from the point of view of land development came from the great expenditure of English money on the colony. Had the convicts stayed at home, the cost would have been twice as much and the return negligible; but this expenditure, useless at home, was greatly productive in a new colony. In the fifty years of the heyday of transportation (1788-1836), the Government spent £5,263,318<sup>28</sup> on New South Wales and Van Diemen's Land and of this more than 90 per cent. was sunk in the colony. Positive economic gain must have been derived from the labor of 100,000 convicts and an expenditure of more than £50 for each,<sup>29</sup> for in one year alone (1836) 27,000 men were assigned to private service, 8000 as shepherds. The facts are plain. The convicts meant to the colonies labor, the expenditure of money, a market, means of development.

But as the colonies progressed the debit side of the ledger became more pronounced, especially when facts other than economic came to count.

There were even economic arguments against the system. In the first thirty years, the presence of the convicts had prevented the operation of ordinary economic laws and involved Government regulation in such matters as prices and conditions. Under these conditions there could be no equilibrium between the population and the production<sup>30</sup> and

26. 1837 Committee, above, qu. 3031-4.

27. "Edinburgh Review," 1803, Vol. 2, p. 32. "And when the history of the colony has been attentively perused in the parish of St. Giles, the ancient avocation of picking pockets will certainly not become more discreditable, from the knowledge that it may eventually lead to the possession of a farm of a thousand acres on the River Hawkesbury." Péron's *Voyage de Découvertes aux Terres Australes* (1816), Vol. 2, pp. 400-401 noted as one of the most striking features of the system the inducement to convicts. In Bigge's time, (First Report, p. 140), convicts held nearly one quarter of the alienated land, 71,144 of a total of 309,288 acres.

28. 1838 Committee on Transportation, appx. p. 289. Cp. Chambers' "Edinburgh Journal," 1832, p. 14.

29. The 1838 Committee, p. 36, estimated that each convict cost at least £82 in all.

30. Pilorgerie's *Histoire de Botany Bay*, p. 227. Convicts upset "l'équilibre qui n'avait jamais été bien établi entre les besoins de la population et les produits."

it was for this reason that the colony was importing grain fifty years after its foundation. But even when Government interference was lessened, there was trouble, for in the one market there were two kinds of labor competing on unequal terms—ticket of leave and assigned men *versus* free emigrants. The result was naturally to bring down the price of free labor and, as Wakefield saw,<sup>31</sup> to reduce the status of the laborer.

By the thirties, the issue had cleared and New South Wales was confronted by the following dilemma. If convict labor were maintained, free immigration could not be fostered but, if there were no free immigration, the colony was ruined, for New South Wales alone required 10,000 laborers. “If, therefore, the penal colonies are to depend upon our gaols for their supply of labor, their prosperity has reached its climax and must decline.”<sup>32</sup> The only way out was to reduce assignment and encourage free emigration.

Convict labor was uncertain, too, to the settlers<sup>33</sup> and to the men themselves. Assignment might mean the making of a man on a farm in the interior or his ruin in the penal settlements proper and, since these men were the settlers of the future, this vitally affected land matters. It embraced “every degree of human suffering, from the lowest, consisting of a slight restraint upon the freedom of action, to the highest, consisting of long and tedious torture.”<sup>34</sup> And the point was that the convict’s condition was a mere lottery, for assignment was determined neither by the nature of the man’s crime nor his length of sentence but entirely by his former occupation. Assignment, that is, was a matter of caprice and prevented “any systematic gradation of punishment.”<sup>35</sup>

This failure to reform led to the social evils of the system—the determining factor. As the Australian colonies turned from a gaol to a society, it was realised that 100,000 felons

31. 1838 Report of Committee on Transportation, p. xvii.

32. 1838 Report of Committee on Transportation, p. xxlv.

33. Calder MSS. (Melbourne Public Library), Vol. 1, p. 197; Parry’s Journal (MS., Mitchell Library, Sydney), 5/3/30. 18 prisoners came “without a list or Notice of any kind! I conclude they are assigned to the Company in consequence of my Requisition, but I must write to ask!”

34. 1838 Committee, above, pp. xlx., viii.

35. 1838 Committee, above, qu. 314.

could not be resident in any community "without the most polluting results."<sup>36</sup>

The balance of results came to be that the convicts formed useful "raw material" in the infancy of a settlement but that, when economic laws began to operate and when a free population came, the results of transportation were evil. The Wakefield system, the growth of emigration and the concept of the colonies as a developing community sounded the knell of convictism.

The Wakefield influence was at once felt here. The reformers' insistence on free labor thrust the convicts into the background, the first step being a proposal to tax the convicts in order to diminish the breach between bond and free labor. The next step was to attack assignment altogether and to restrict transportation to the Government utilisation of convicts. This was achieved through the revelations of a Committee of the Commons which reported in 1838 that "some alteration in the system is absolutely indispensable."<sup>37</sup> But Glenelg, even before the final report,<sup>38</sup> ordered assignment to stop (1837), and the Governor of New South Wales was directed to take measures "for inducing the settlers generally to look for the future to emigration rather than to assignment as the source from which they may obtain the requisite labor for the cultivation of their lands and for other purposes."<sup>39</sup>

One side of the convict system in relation to land was thus ended but another at once commenced. Numbers of transports were to be despatched as before,<sup>40</sup> the only difference being that the Government instead of the settlers was to use the convicts in the development of the land. Public employment replaced private assignment;<sup>41</sup> the rest remained as before.

36. Arthur to 1837 Committee on Transportation, qu. 4592. For example, in 1835, there were 35,000 convicts in New South Wales and Van Diemen's Land, and 37,000 summary convictions. Bourke-Glenelg, 2/11/37; Franklin-Glenelg, 9/12/39.

37. 1837 Committee on Transportation, qu. 2612, 2617. Cp. articles in "N.S.W. Magazine," 1833, pp. 15-27; 102-13; 234-44.

38. Glenelg-Franklin, 30/5/37, 30/6/37 for V.D.L.; Glenelg-Bourke, 26/5/37 for N.S.W. The Committee did not report until 3/8/38.

39. Government Order, N.S.W., 18/11/37. Pilorgerie, p. 337, looked on this as probably "*une sentence de mort pour les colonies australo-anglaises.*"

40. Stanley-Wilmot, 31/8/44; Cp. Arthur's "Defence of Transportation" (1835). The committee recommended penitentiaries, not exile.

41. 1838 Committee on Transportation, p. xxxvii. Bourke wanted 4000 convicts for 10 years. The idea of Government employment was adopted in face of the fact that it would cost £300,000 more.



And even when the growth of the southern colonies led to the abolition of transportation in New South Wales (1840),<sup>42</sup> the experiment of preparing new districts for settlement by convict labor continued in Van Diemen's Land. Stanley vigorously supported the idea and held that, by using convicts to clear and cultivate outside lands, "territories now lying waste and unsaleable might be made to acquire such an exchange value as at no remote period to return to the Treasury the expense of maintaining the laborers engaged in any such process."<sup>43</sup> The experiment of Port Macquarie was thus revived and extended in the forties.

The result was failure for, however useful convicts may have been in this connection in Macquarie's time, they were an anomaly twenty years later. Moreover, the numbers were too great. Though roads were pushed west to Lake St. Clair and past Deloraine, 25,000 convicts could not be continually employed, especially when the country was visited by a drought and commercial crisis (1841-43).<sup>44</sup>

Stanley's elaborate scheme of 1842 thus never had a chance. Under it, there was a carefully graduated series of stages which were to punish the individual and open new lands. "Probation gangs" were to be used in opening unsettled lands and convicts, after serving in these, could obtain "probation passes" and form "jobbing parties for the performance of rural works by contract."<sup>45</sup>

The failure of this scheme led, not to its abandonment, but to a modification. It was still a cardinal principle of transportation that convicts could "improve the Crown property for sale"<sup>46</sup> and Grey, the new Secretary of State (1846), resolved to employ the passholders in group settlements. Villages of such men were to be set up on the outskirts of settlement and they were to improve the surrounding lands for sale while having small plots of their own. But the result

42. Russell-Franklin, 10/9/40. Henceforth V.D.L., Norfolk Island and Bermuda were alone to have convicts.

43. Stanley-Wilmot, 31/8/44; cp. 8/3/44.

44. Wilmot-Stanley, 2/12/42; 8/3/44. 3000 were given tickets of leave in one year alone (1843).

45. Stanley-Franklin, 25/11/42. See V.D.L. Company's Outgoing despatch 58 (20/7/44) for comment—"clogged with such troublesome conditions" that the Company will stop agriculture. Cp. MS. letter (Mitchell Library, Sydney), J. A. Reid-H. C. Allport, 24/8/43.

46. Grey-Denison, 30/9/46; 23/4/48. Cp. MS. letter, Mitchell-Hall, 16/3/45, and MS. letter, Mitchell-Grey, 19/9/54 (Mitchell Library).



was once more failure.<sup>47</sup> There could be no salutary dispersion of the convicts when the island had 57,000 convicts.

One other experiment was made in the mid-forties when Gladstone attempted to solve the question of pastoral labor by sending "exiles"<sup>48</sup> to the Port Phillip district, but the opposition led to the abandonment of this scheme and to a kindred experiment at the settlement of North Australia (1847). Hereafter, the gaol side came to triumph over the land aspect of transportation and, although convicts came to Tasmania until 1853 and to Western Australia from 1850 to 1867,<sup>49</sup> transportation after the forties was not related to the development of the land.

Australia had thus received over 100,000 convicts and had secured the benefits of a slave labor supply and the consequent development in the early stages. To 1830, it was clear that New South Wales and Van Diemen's Land had "demonstrated the advantage of penal colonies"<sup>50</sup> but after that date the difficulties pressed to the fore. To Macquarie's time, the convict farmers had conduced to progress; to the early thirties, assignment to private service had aided the development of the land; to the late thirties, convicts had been useful for the furtherance of roads and other public works. But after that date emigration ended any benefits which could be derived from convict labor<sup>51</sup>; and the experiments of Stanley and Grey in Van Diemen's Land and Gladstone in North Australia were merely tragical travesties.

47. "The extraordinary and unforeseen depression of all the springs of Industry, and of all the resources of profitable employment" meant that passholders, instead of working for farmers, came back to be fed by the Government. See V.D.L. Company's Outgoing despatch, 186 (10/10/50) for the "continued gloom and depression." The convicts produced only 20,000 bushels of produce in 1850.

48. The "Pentonvillains" or "Patent Villains." For an account of the opposition, see Scott in *Victorian Historical Magazine*, Vol. 1, 1911, p. 101 et seq.

49. For position at this time, see H. R. Grellot's "Case of England and W.A. in respect to transportation" (1864), and R. R. Torrens' "Transportation considered as a mode of punishment, and as a mode of founding colonies" (1863), pp. 17-23.

50. Blosseville's *Histoire des Colonies Pénales de l'Angleterre dans l'Australie* (1831), p. 509. "*Mais si l'Angleterre, soit par la force des choses, soit de propos délibéré, a donné plus d'essor aux relations commerciales qu'au système réformatrice, on ne peut néanmoins refuser de reconnaître que son expérience quoique incomplet, a démontré l'avantage des colonies pénales.*" Cp. Report of 1811 Committee on Transportation, p. 12, urging that "as many male convicts as possible should be sent thither, the prosperity of the country depending on their numbers." Cp. Report of Third Committee of Colonial Inquiry on Receipts and Expenditure, 1831, p. 72.

51. Cp. J. D. Lang's "Transportation and Colonisation; or the comparative failure of the transportation system in the Australian colonies" (1837), ch. 4, 7.

Forerunners of settlement in the twenties, convicts were retrograde agencies twenty years later, and it was the Wakefield school which demonstrated this fact. They desired the tax on convicts; they led the moral and social complaints; they caused the withdrawal of assignment and, more important than any of these, their policy of land sales made possible the emigration fund which in turn was the final factor against the introduction of convicts.<sup>52</sup> Convicts had thus done yeoman service in the early days and had helped to open the land; the cost was paid by the free immigrants for decades after.<sup>53</sup>

52. 1838 Committee on Transportation, p. xxxv.

53. Freycinet, in 1837, got to the root of the idea (*Voyage autour du Monde*, Vol. 3, p. 1192), in saying that the convicts were a material but not a moral success "le but matériel des établissemens (sic) pénitentiaries de l'Angleterre ait dépassé toutes les espérances." Cp. Laplace's "*Considérations sur le système de colonisation libre ou pénitentiaire suivi par les Anglais.*"

Also the idea in Delille's *La Pitié*, ch. 2:—

"Cette Botany Bay, sentine d'Albion,  
Où le vol, la rapine et la sédition  
En foule sont venus, et, purgeant l'Angleterre,  
Dans leur exil, lointain VONT FECONDER LA TERRE."

As an experiment in colonisation, transportation to Australia occasioned more interest and a more scientific analysis in France than in England.

## CHAPTER 10.—WAKEFIELD'S INFLUENCE.—EMIGRATION.

In the early years of the Australian colonies, free immigration was definitely discouraged. When, for example, the 1811 Committee on Transportation spoke of New South Wales being "in a train entirely to answer the ends proposed by its establishment," it was understood that an extensive free immigration was not included in the ends mentioned.<sup>1</sup> Only persons with capital like the Blaxlands or Potter Macqueen were considered<sup>2</sup> and no progress was made until Macquarie's perfectly logical theory that the colony was primarily for convicts was shattered.

The "stream of emigration"<sup>3</sup> set in to Van Diemen's Land under Sorell and to the mainland under Brisbane, but was very feeble until the time of the Wakefield theorists for, up to 1830, only 6843 persons had emigrated to the two colonies above. This was due partly to the lack of facilities, as a Committee on Emigration (1826) would consider only "that part of the community which may be considered to be in a state of *permanent pauperism*" and even then made no practical suggestions.<sup>4</sup>

It was the Wakefieldians who extended the term "emigration" to include other classes than the burdens of the parishes and who showed a practical means of conveying useful emigrants to the colonies. Selected emigration made possible by colonial funds was their contribution to the problem and

1. All persons wishing to go to Australia received the stereotyped reply "that no persons are allowed to go out as free settlers to that Colony, unless they can prove themselves to be possessed of sufficient property to establish themselves there, without the assistance of Government, and who can produce the most satisfactory testimonials and recommendations from persons of known respectability." Appx., p. 115 to 1811 Committee on Transportation.

2. Historical Records of Australia, Series 1, Vol. 5, p. 27; Historical Records of N.S.W., Vol. 5, pp. 1-11, 13.

3. Pilorgerie, p. 225; Bischoff's "History of V.D.L." (1832), p. 7; MS. letter in Piper Papers, Vol. 1, p. 493 (Mitchell Library, Sydney). See "Australian Quarterly Journal," 1828, pp. 312-8 for decline, and the "South-Asian Register," 1828, pp. 197-221; 293-305.

4. First Report of Select Committee for encouraging emigration from the U.K. Acc. and Papers, Vol. 4, 1826, pp. ii.-ix.

one has but to compare this with the nebulous report of the 1826-7 Committee to realise the advance.<sup>5</sup>

In the first month of his office, therefore, Goderich (Ripon) formulated a comprehensive policy on Wakefieldian lines, including the stiffening of indentures, the taxing of convicts, and the appropriation of the land revenue to emigration. Stressing the scarcity of labor and the need for a well-balanced population, the Secretary of State laid down the principle that "the funds derived from this source (the sale of Crown Lands) should be looked upon, not as forming a part of the income of the colony and available for the purpose of meeting the annual expenses, but as capital which should not be permanently sunk, but invested so as to produce a profitable return."<sup>6</sup> The most profitable return was by forming a "Land Fund" and appropriating this to emigration.

This was in February, 1831, and the utilisation of the Land Fund was one of the most troublesome points for the next twenty years. The local inhabitants, supported by the Wakefieldians and the London "Times,"<sup>7</sup> viewed Goderich's pronouncement as the very basis of their rights, for their prosperity depended on an adequate labor supply.<sup>8</sup>

The first trouble arose from the fact that not all of the land-revenue was earmarked for emigration and, when Glenelg allowed any surplus to go to the colonial funds (1835) by the so-called "Compact," the colonists demanded the appropriation of all land-revenue.<sup>9</sup> But, as Gipps pointed out later, this was clearly an abuse for no right of appropriation was intended.

It was thus the custom in the thirties to utilise the Land Fund of any colony in promoting emigration to that colony and to pay for the police expenses, the balance in any one

5. Report of Select Committee on Emigration, 1827. Acc. and Papers, Vol. 5, pp. 223-259 (a general dissertation based on Malthusian ideas).

6. Goderich-Arthur, 29/1/31; Howick-Treasury, 16/7/31. Cp. Macarthur's "N.S.W.; its present state and future prospects" (1837), pp. 108-9.

7. "Times," 11/3/41.

8. E.g., the N.S.W. Committee of Council on Emigration, 18/9/35, looked on this "in the light of a pledge by His Majesty's Government."

9. Goderich (d. to Bourke, 4/3/32), had made the land revenue a separate fund, and Spring Rice (d. to Bourke, 18/11/34), in fairness to the colony, kept the surplus for each colony. Glenelg (d. to Bourke, 10/7/35, and to Arthur, 17/7/35) affirmed this. Bourke, however, caused trouble by loose expressions, such as "the Revenue of the Crown Lands being now left to the appropriation of the Council." Cp. Gipps-Glenelg, 3/11/38; Votes and Proc., N.S.W. Ccl., 1844, Vol. 2, pp. 134-5; and correspondence in Vol. 1, p. 593, et seq.



year reverting to the general colonial funds. But the question arose, now that there were funds, what was the best mode of emigration? New South Wales had £43,500 within three years (1831-4); how was it to be used? At first, payments were made to private ventures such as Lang's attempt<sup>10</sup> or the Van Diemen's Land Company, but such attempts were clearly too desultory.<sup>11</sup>

The Government therefore drew up schemes of its own and, in October, 1831, came the first emigration supported by a colonial land-fund.<sup>12</sup> As an experiment, female emigration was tried, the cost being defrayed, half by the emigrants, half by a sum of £10,000 borrowed on the security of the land-revenue of the next two years. An Emigration Commission was at once appointed (June, 1831)<sup>13</sup> to manage the funds and to control the actual equipment, and its operations were soon extended.

Now that Goderich had discovered how easily the future land revenue could be anticipated, he worked out a plan to send a thousand agricultural families to Australia.<sup>14</sup> In all of these plans of 1831, the basis was that the emigrant and the Government should divide the expense<sup>15</sup> but Goderich suggested at this stage (November, 1831) that private individuals in Australia could pay to introduce emigrants and be repaid in the same manner. This became known later as the "bounty" system, under which the stockman or farmer supervised his own emigration and was recompensed in part by the Government.

10. Lang's "Immigration and the Scotch mechanics of 1831" (n.d.); Lang-Goderich, 15/3/31; Goderich-Darling, 29/3/31; further bonuses refused in despatch to Lang, 26/3/34. Contrast Colonial Office-Lang, 29/6/37.

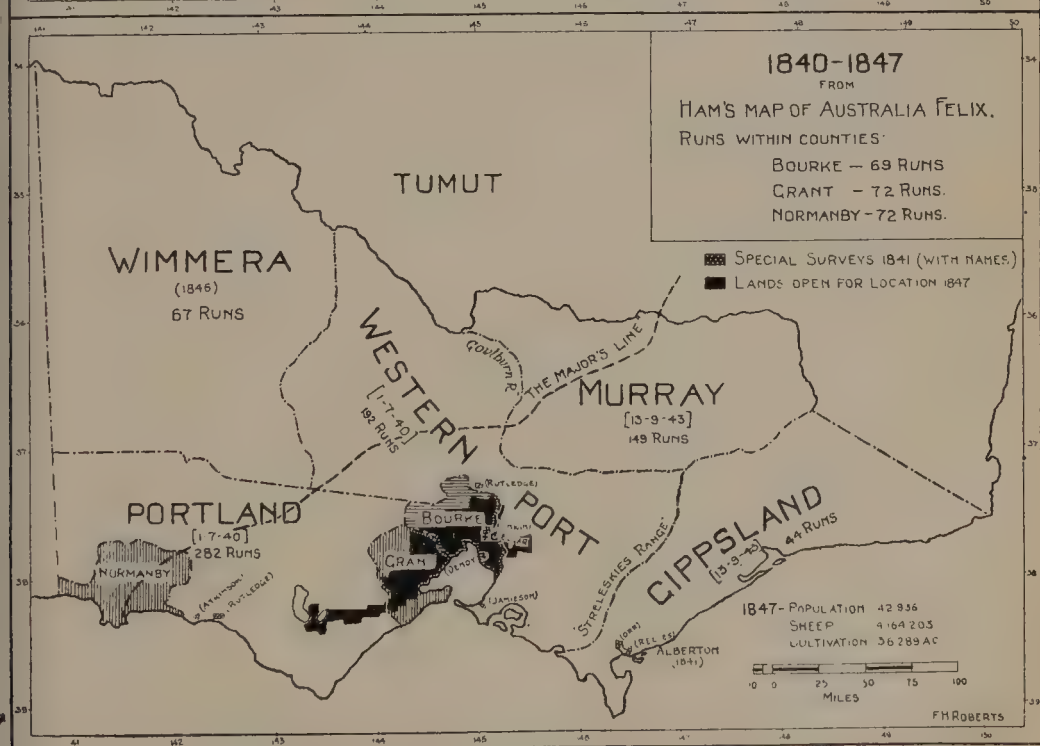
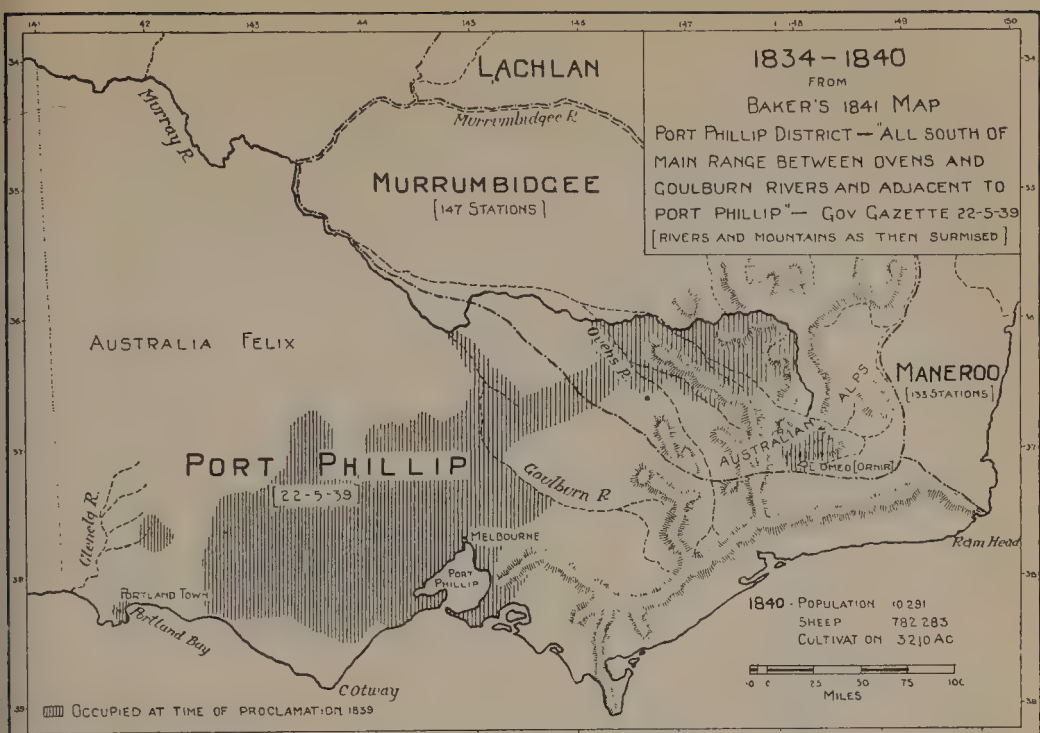
11. On a par were the ideas of Wentworth and Macarthur. See Parry's MS. Journal, 2/2/30, 3/2/30.

12. For the need, see Blosseville, p. 431; Goderich-Arthur, 29/11/31; 4/10/31. For experiments, see Goderich-Darling, 23/1/31.

13. There had previously been an agent in London for the two colonies, appointed 1/9/22. See Third Report of Committee of Colonial Inquiry, 1831, pp. 106-7. For the functions of the new Commission, see enclosures 1-2 to Goderich-Arthur, 22/7/31. Cp. Parliamentary Debates, Series 3, Vol. 2, col. 875-906.

14. The aim was to turn "towards Australia some portion of the Emigration which has hitherto flowed almost exclusively to the colonies of North America." But, when Goderich wished to help the distress of the southern agricultural counties by emigration to Australia, the local authorities would not consider the scheme while America cost only quarter as much. Howick-Treasury, 7/10/31; Stewart (Treasury) to Howick, 12/10/31; "Australian Magazine," January, 1833, Vol. 1, p. 35.

15. See correspondence in Goderich-Arthur, 4/10/31; 2/11/31. Bounty regulations are in Goderich-Arthur, 20/12/31. £8 to females, and £20 to families of mechanics. These were important, because, through such experiments, the method of shipping agricultural laborers was worked out.



## VICTORIA 1834-1847.



The bounty regulations, issued in October and November of 1831 and aiming at "a hardy peasantry" of free persons, secured little support<sup>16</sup> until widened so as to include men who could work for others on the land—the farmers of northern England or the Norfolk shepherds or Highland crofters.

The bounty system, however, proved to be inconvenient and, because of the apathy in New South Wales and Van Diemen's Land, the Government in 1837 determined to give a free passage to all selected emigrants.<sup>17</sup> An "Agent-General for Emigration" was appointed and a system with all the emphasis on rigid selection was introduced,—just when the price of land was raised and when the colony<sup>18</sup> was so much in want of labor that "convicts from Hamburg"<sup>19</sup> and Chilian shepherds were being considered.

Thus, in 1837, there was a conflict between two systems of emigration, the matter assuming a new importance in view of the fact that the colonists had just been told to look solely to free labor. Under the one—the bounty system—the land revenue was used to pay persons bonuses "proportionate to the number of eligible emigrants whom they may introduce into the colony." In short, it was assisted, not free, emigration. But two grievances arose in connection with this system. In theory, each settler was supposed to nominate the number of laborers he required; in practice some *entrepreneur* introduced laborers *en masse* as a speculation. Again, when the bounty was gradually increased until it came to cover the whole cost, it meant that the Government was paying for free emigration and yet exercising no control.

The second system was free Government emigration. While it secured control and selection, its drawback was that it was more expensive than the bounty system, each emigrant costing £19/7/- as against £15/6/-.<sup>20</sup>

The first ship under the new Government system sailed in March, 1837, and, from then until the end of 1839, the two

16. Hay-Arthur, 6/3/32; Goderich-Arthur, 27/1/32; N.S.W. Government Gazette, 1832, Vol. 1, p. 464, for operation.

17. Emigration notice of 20/10/37, enclosed in Glenelg-Franklin, 8/11/37; cp. 31/5/37.

18. Glenelg-Franklin, 29/4/37. Elliot, the Secretary of the Emigration Commission of 1831-2, was the first Agent-General.

19. MS. letter, E. Macarthur-R. Jones, 29/8/36 (Mitchell Library); cp. MS. letter of Macarthur to Colonial Office, 1837, for this turn.

20. Report of 1840 N.S.W. Committee on Emigration.



methods were in operation concurrently. The one was more satisfactory to the Government but dearer, the other cheaper and more popular. The land revenue was divided between the two, the Chief Agent for Emigration getting twice as much as the amount allowed for bounties. Thus, in 1838, the Government provided 6463 emigrants for £122,213 and the bounty system 1622 at a cost of £22,398.<sup>21</sup>

But by this time, the question was not so much which system was the better but whether *any* system could be maintained, for the funds had been exhausted and the colonies were apathetic.<sup>22</sup> The scarcity of labor, however, soon changed this and the movement of the flocks over the Liverpool Ranges on the mainland and into the north-west of Van Diemen's Land gave a pronounced impetus to the bounty system in 1840<sup>23</sup> in both colonies. In 15 months, 26,546 persons were sent to New South Wales and only one man in 200 could find no work. Somebody had to pay for all this, for Gipps had resorted to bounty orders payable within two years. By 1841 he had issued £979,562 of these orders which fell due at a moment of acute financial embarrassment. Therefore, in 1841, after 19,573 persons had already arrived since the commencement of the year, the bounty system was suspended.<sup>24</sup> The squatter's demands for shepherds had been met; the cost was the complete "derangement of the public funds."

Therefore, since Stanley refused to anticipate the land fund, assisted emigration had to be discontinued for some years and, in every colony, there was a labor shortage throughout the forties.<sup>25</sup> The transition from bond to free

21. For comparison of two systems, see C. L. and E. C.-Russell, 16/12/40; and collected correspondence in Acc. and Papers, 1841, First sess. Vol. 17, esp. Russell-Gipps, 8/1/41, and Stephen-C. L. and E. C., 13/12/41.

22. For N.S.W. see Report of 1839 Committee on Immigration and "Australian Chronicle" (Sydney), 23/7/40. For example, Gipps' proposal for a sinking fund was rigorously opposed. Cp. Glenelg-Franklin, 23/10/37, for cessation of immigration to V.D.L.

23. Franklin-Russell, 22/5/40; cp. Report of 1839 Committee of N.S.W. Council on Emigration, recommending immediate increase in bounties. "Sydney Morning Herald," 12/6/40. Cp. Accounts and Papers, 1841, Vol. 17, First Session, p. 3. For later history of bounty system, see 1856 Report of Colonial Land and Emigration Commissioners.

24. Stanley-Gipps, 29/7/42; N.S.W. Votes and Proc., 1942, p. 41.

25. N.S.W. Votes and Proc., 1841, p. 194; "Australian and New Zealand Monthly Magazine," 1842, pp. 90-95. In Van Diemen's Land, matters were even worse for, by 1847, it was said that "very few of the middling class now remain in the Island, the community being divided almost entirely into large proprietors and convict laborers." See V.D.L. Company's Outgoing despatches, 112 (20/9/47) and 134 (8/11/48).

labor was in this way unduly severe, especially because lands at 20/- would not sell.

All kinds of expedients were tried,—Debentures,<sup>26</sup> direct remissions in land,<sup>27</sup> limited bounty. But not till the gold discoveries was there an extensive immigration,<sup>28</sup> for until 1848 there was not the slightest revenue available and, even then, only 23,590 emigrants were assisted in five years of prosperity (1848-52).

To meet the demand for labor, various individuals commenced immigration schemes, the most noteworthy being Lang's effort at Moreton Bay, as a result of which three ship-loads of immigrants came.<sup>29</sup> Other ventures aimed at German immigration, especially after voluntary emigration to South Australia (1844 on).<sup>30</sup> Lang proposed to introduce Rhenish vigneron and shepherds to Moreton Bay, Westgarth to Port Phillip<sup>31</sup> and one Delius to New South Wales. The two latter brought in 354 emigrants from Bremen and 451 from Hamburg respectively,<sup>32</sup> but the Government once more cavilled over the bounty, despite the facts that the previous shipments had added an eminently useful stratum to the colonial population and that the political upheavals of 1848 in Europe opened a further supply.

The squatters, still needing hands, turned to cheaper sources of labor and, since the opposition of the towns would not allow convict "Exiles," sought Indian coolies, especially the hardy hill-tribes or "Dhangars." So manifest were the gains that a Committee of the Legislative Council in 1837 re-

26. Stanley-Gipps, 29/7/42. Debentures were unpopular in the colony. See appx. G to Report of 1841 Committee of Council in Emigration for Colonial Secretary-Auditor General, 27/7/41.

27. "The Crown Lands should be made the medium of introducing Immigrants without reference to Sale." See N.S.W. Votes and Proc., 1845, p. 341. Cp. Report of 1843 Committee on Land Bill, and the comments in C. L. and E. C.-Stephen, 31/9/44.

28. Report of Committee of N.S.W. Council on Emigration, 26/8/42. See V. and P., 1842, Vol. 14, p. 488 et seq., for evidence. Cp. MS. letter, Mitchell-R. M. Martin, 10/3/49 (Mitchell Library).

29. See ch. 16 (2), below. Also "Brisbane Courier," 7/7/60; 15/7/61. Cp. Lang's "Narrative of Proceedings in England, Scotland and Ireland . . ." (1850).

30. "S.A. Colonist," 7/4/40 (series of excellent articles in the April numbers); "Southern Australian," 18/8/43; "S.A. News," 15/11/42; 15/12/42; supplement to First Report of S.A. Company, pp. 14-6, and Second Supplement, p. 7; "S.A. Register," 6/6/57, and 14/12/57; Bennett's "S.A." (1866), p. 133; Duval's "Histoire de l'Immigration" (1862), pp. 306-7.

31. Immigration Papers (MSS. Mitchell Library, p. 173). Also Westgarth, preface to German edition of "Australia Felix."

32. Grey-Fitzroy, 31/10/48; 29/11/48. The bounty was only 50/-.

commended the immediate introduction of 3-5000 coolies<sup>33</sup> and several were actually brought. But the Home Government rejected the scheme on the ground that it meant the formation of a "slave caste."<sup>34</sup>

Fragmentary as it was, however, the device was successful from an economic point of view and the Pastoral Association petitioned for a renewal in 1844<sup>35</sup> while, four years later again, squatters crowded from all directions to form an "Indian Labor Association" in Brisbane.<sup>36</sup> But the official veto, often repeated, prevented an enlargement of this scheme which had been "partially but successfully tried."

The pastoralists then turned to the Pacific Islands and Boyd, one of the leaders of their association, induced natives of the New Hebrides to serve as shepherds.<sup>37</sup> But, although a success economically, the venture, which extracted much notice at the time as a possible "safety valve" for the pastoral machine, failed because the natives died. The islander, by nature gregarious, simply reacted to the loneliness of pastoral occupations by losing his grip on life. Later again, in 1864, Kanakas were tried inland on the Queensland plantations but the results were similar.

Still a third source of labor remained untapped and was brought into notice when the British hammered a way into the far Orient. The squatters were to a man in favor of Chinese immigration which commenced in earnest in 1852 when the Australian Agricultural Company introduced Shanghai coolies. The Chinese were usually recruited from ports outside consular control like Swatow; but even from two consular posts 2100 came in nine months (1854).<sup>38</sup> But the

33. See correspondence with Mackay in *Votes and Proc.*, 1837, and *Report of 1837 Committee* (25/8/37), pp. 3-7.—"Only as an immediate and temporary relief to the distresses of the Settlers." For original indenture, see *Immigration Papers* (Mitchell Library), pp. 17-18. Each form was signed by a superintendent of Calcutta police, and the indenture provided for rations of dhal, ghee and rice. Eight years later, the Indians were still in pastoral employ, and had savings bank accounts. *Cp. N.S.W. Votes and Proc.*, 1854, Vol. 2, for Committee on Asiatic labor.

34. Glenelg-Gipps, 14/12/37.

35. See correspondence in *Accounts and Papers*, 1845, Vol. 32, p. 12. *Cp. Stanley-Gipps*, 29/9/43.

36. One squatter, Farrell, had already brought in Indians. The project was supported by the "Guardian" and "N. Australian."

37. Towns' evidence before the 1854 Committee, V. and P., 1854, Vol. 2, p. 919. *Cp. Chambers' "Edinburgh Journal,"* 1848, pp. 61-3. For later attempts, see M. Willard's "History of the White Australia Policy" (1923, Section 4); *Correspondence in Accounts and Papers*, 1867-8, Vol. 48.

38. Indenture in *Agricultural Papers* (MSS., Mitchell Library, Sydney); p. 53 (October, 1851). Small groups had come as early as 1848.



gold discoveries prevented the success of this labor as a relief to the squatters.<sup>39</sup> Thus, there had been failures in the matter of colored labor—the Indians because of the official veto, the Kanakas because they languished, the Chinese because they absconded.

In consequence, there was a pronounced shortage until the gold rushes. How far, then, was the Wakefield system successful in this regard? In so far as it meant emigration from a land fund, it was successful; in so far as it made emigration completely dependent on that land fund, it was a failure.

There can be no doubt that the plan was successful in introducing immigrants; the only question was as to the cheapness and efficiency of the method. The means used were unknown in the twenties and yet there was no certainty, the trouble being that no fixed proportion of the land revenue was earmarked for emigration alone. Thus, to 1835, less than one-third and, to 1838, less than half the land fund was used for the purpose.<sup>40</sup>

To prevent this uncertainty in some degree, Glenelg ordered (1837)<sup>41</sup> that the surplus in any one year could be carried forward to the next and, three years later, Lord John Russell went even further, definitely apportioning half the revenue for emigration and preventing the diversion of the land fund to the general revenue.<sup>42</sup> But, although stereotyped in Stanley's Act, the reform was too late, for the chaos of the revenue under Gipps<sup>43</sup> and the dwindling of land sales<sup>44</sup> sufficed to upset everything until the gold discoveries trebled the population within three years.

39. Report of Agent for Emigration, 4/7/53.

40. N.S.W. Votes and Proc., 1832-7, pp. 259-260; cp. Report of 1835 Committee of Council on Emigration. For figures, see Accounts and Papers, 1840, Vol. 5. The general revenue received £284,134 of the land revenue, while only £244,020 went for emigration purposes.

41. Glenelg-Gipps, 23/3/37; Gipps-Glenelg, 31/10/38, and Report of 1844 Committee of Council on Crown Lands, for opposition.

42. Stephen-Trevelyan, 26/10/40, in Accounts and Papers, 1846, First Session, Vol. 17. Correspondence re land revenue, pp. 47-48; appx. G. to Report of N.S.W. Committee on Emigration, 1841; "Colonial Gazette," 9/12/42.

43. Owing to Gipps' "many unauthorised appropriations of the public revenue." A Committee of Council in 1843 censured the Governor, but absolved him from corrupt motives. He had hopelessly confused the land-fund and the general revenue. Votes and Proc., 1843, p. 926; "Colonial Gazette," 6/1/41.

44. For details, see Immigration Papers (MSS. Mitchell Library), p. 99 (from 1838 to 1852), and from 1825 to 1836, appx. 2 to Macarthur (1837). For decline, see Votes and Proc., 1842, p. 2. It was £316,000 in 1840, £90,000 in 1841, and next year "insufficient to pay the expenses chargeable on it."



In short, the experiments had shown that revenue from colonial lands could be advantageously used in introducing selected immigrants but, on the other hand, that to gauge the exact demand for labor by the sale of lands was untenable. The plan succeeded in the thirties, despite the lack of systematic appropriation; it failed in the forties, because of the anticipation of future land funds and because sales declined. But other factors had to be considered, too,—the drought of 1839, the abolition of assignment, the crisis of 1841-3, the unwonted demand for labor owing to the pastoral expansion, the spirit of factious opposition to Governor Gipps. Under the combined weight of these, the principle broke.

After then, the problem changed. It was no longer one of how to obtain a land revenue large enough to bring in emigrants but how to settle the gold-mining population on the land, irrespective of revenue. But, in the thirties, the principle of selling lands and using the revenue as an emigration fund was, if not “the most important practical improvement which has hitherto been made in the science of political economy,”<sup>45</sup> at least the most important influence in the Australian colonies.

45. “South Australian Record,” 15/1/40.

## CHAPTER 11.—WAKEFIELD'S INFLUENCE: SOUTH AUSTRALIA (1830-50).

The land policy of South Australia was chiefly important because, in its early stages, it provided a trial for some parts of the Wakefield plan. It was the only example of a colony centring on a pre-ordained land and emigration policy.<sup>1</sup> "We resolved to try and establish a fresh colony," wrote Wakefield, "in which both our economic and political views should obtain a fair trial." And it is true that, however misapplied the theory was, it provided the balance between the different sections of the population in South Australia until the gold discoveries.

The first practical event leading to the formation of the new colony was the establishment of the "National Colonisation Society" in 1830.<sup>2</sup> Though this Society was ruined by the opposition of the Under-Secretary, Horton, and the yet unconverted Torrens, its founders retained their enthusiasm, especially when news came of Sturt's discoveries on the Murray.<sup>3</sup>

At once, a provisional committee drafted a charter for a colony but Goderich "threw cold water upon it." At this stage, the Colonial Office had "serious misgivings" as to the maturity of the committee's knowledge and, after a two years' struggle, Gouger, the spokesman, temporarily abandoned the idea.<sup>4</sup>

But, in June, 1833, another scheme was put forward—the founding of a colony "by means of a Land Company." The

1. The relevant documents are collected in R. Gouger's "The Founding of South Australia," and in the lengthy appendix to the Second Report of the 1841 Select Committee on South Australia. A documented account of the initial years is in W. Oldham's "The Land Policy of South Australia, 1830-42" (1917). The most exhaustive account is in Mills, ch. 5-8.

2. Wakefield's "Art of Colonisation," pp. 39-41; Gouger, pp. 35-9.

3. Sturt said:—"My eyes never fell on a country of more promising aspect." Cp. Report of J. Jones, June, 1832, in Brown's MSS. (Mitchell Library, Sydney), pp. 139-41.

4. The correspondence was from February, 1831 to August, 1832, the effort being practically ended by a notice in the "Spectator," 30/10/31. See Account and Papers, 1841, Session 1, Vol. 4, p. 1 of appx. For details, see Hay-Torrens, 6/8/32, and pp. 1-19 of appx.

Company desired a pre-emptive right over a million acres and upheld the principles of a fixed price and the earmarking of the proceeds for emigration: but this proposal was a failure because of official delays and rigorous conditions. (November, 1833.)

The colonisers therefore moved to more sumptuous apartments in the Adelphi and enlarged their aims to include a governing company on the lines of the settlement of Georgia (1732). The "South Australian Association" (December, 1833) was thus formed and desired a colony under "a responsible Board."<sup>5</sup>

But the Secretary of State, Stanley, rather inclined to the plan of a joint stock company and looked on "commissioners with governing powers" as usurping public functions. It was the problem of government which proved the stumbling block<sup>6</sup> and the matter had to be settled, despite Gouger's repeated statement that the aim of the Association was "simply to found the colony on the principles laid down as to land and emigration, without regard to questions of government." By March, 1834, it was clear that the Crown had to undertake this function, that is, the notion of a chartered company was replaced by that of a Crown Colony.

5. Gouger's "Founding of South Australia," pp. 44-48. For the various phases, see respectively

- (a) "Plan of a Company to be established for the purpose of founding a Colony in Southern Australia," 1831, 72 pp.
- (b) "Proposal to His Majesty's Government for founding a Colony on the Coast of Southern Australia," 31 pp. (approved at meeting of the Association, 3/8/31).

Both had the same plan, 5/- an acre for the first year, then 7/6, then increments "until the price demanded for land shall be that which will ensure the cultivation of all land granted" ("Proposal," p. 8; "Plan," p. 4); Auction. All the land fund was to go for emigration, £500,000 capital; quarter for land purchase, quarter for intending settlers, half for Government (according to "Proposal," p. 9), or "construction purposes" (by the reading in "Plan," p. 6). These two plans were in the time of the Colonisation Society, and were re-issued with more arguments against the older colonies in

- (c) "Plan of a Company to be established for the purpose of founding a Colony in Southern Australia," 1832, 74 pp.

This said that the Government had promised a Charter (p. 4), and spoke of all land at a "sufficient price," the term not being used in earlier drafts.

- (d) Aims were further enlarged in Gouger-Whitmore, 23/6/33, or Whitmore-Stanley, 6/7/33. Cp. Gouger, pp. 46-8, or pp. 19-21 of 1841 appendix. Now emerged the ideas of pre-emption of a large area, a land tax, free trade, etc.
- (e) The fifth statement was in "Outline of a Plan of a Proposed Colony to be founded on the South Coast of Australia," 1834, 80 pp. This was the prospectus of the Association, and definitely marked the substitution of the chartered idea for the joint stock.

6. "Spectator," 4/1/34; Gouger, pp. 70-80. For conflict with Stanley, see deputation of 31/3/34 (p. 88), and Gouger's reply (p. 105).

For the rest, "the general principles regarding colonisation"<sup>7</sup> which the reformers advanced were accepted and the Association, though disappointed in its hope of a charter, continued "as a private and temporary society"<sup>8</sup> to round off the details of the colony.<sup>9</sup>

The new system of colonisation was legalised in an Act of 1834,<sup>10</sup> the outstanding feature of which was its division of control. Commissioners were to carry out the Act and to control supplies; a Resident Commissioner was to manage land affairs and to be responsible to the Commissioners at home; and there was to be a governor directly responsible to the Colonial Office and indirectly, through their control of the revenue, to the Commissioners. In the colony thus governed, there was to be auction of all lands and emigration with the whole of the proceeds. Further, this complicated machinery was not to come into operation until £20,000 were invested in Exchequer Bills and £35,000 in land.

As may be understood, the division of authority and the power of the Commissioners were weak points in the Bill<sup>11</sup> and trouble arose from the first. The promoters had to ask people to buy unknown and unsurveyed land at the Antipodes, relying on the cursory reports of Flinders and Baudin and the idyllic sketches of Westall.<sup>12</sup>

It took eight months to name the Commissioners—"which a week ought to have settled"<sup>13</sup>—and, when they were at length appointed, they were soon at variance. Wakefield, predicting that the colony would be "a second Swan River," abandoned the enterprise because he wanted a minimum price of £2. Torrens opposed auction, Barnes wanted a competitive land tax,

7. Communication from Colonial Office, 16/4/34.

8. P. 35 of appendix of 1841 Committee on South Australia.

9. E.g., a sub-committee fixed the price of land at 12/- by a mathematical calculation.

10. 4 and 5 William IV., c. 95. Assented to, 15/8/34. The "Times" called the Bill a land-grabbing venture.

11. "The chief and original error was committed in the Act itself." For an enumeration of its faults, see 1841 Committee, pp. iv.-v. An Amending Act (1 and 2 Vic., c. 6), enlarged the Commissioners' powers, but changed nothing else. "Art of Colonisation," p. 49.

12. P. ix. of 1841 Committee; Fourth Annual Report of Colonisation Commissioners for S.A., p. 32; Account and Papers (1836), Vol. 36, p. 457; statement of Rowland Hill in Sutherland's "S.A. Company," p. 33. For the ignorance concerning the land, see "Westminster Review," July, 1835, pp. 217, 222; "Edinburgh Review," July, 1840, p. 532.

13. Gougèr, pp. 146-157. J. Brown's MS. Journal (Mitchell Library, Sydney), 23/2/35; 5/5/35. This manuscript gives the best account of the interim period between the Act and the settlement. See especially entries for 25/3/35; 8/4/35.



Lefevre desired differential land prices,<sup>14</sup> Gouger quarrelled with those who wished to make officials take land. And, above all, the public refused to buy.

At the end of 1835, only £26,000 had been subscribed and, but for the help of Angas and the South Australian Company which purchased the land at the reduced price of 12/-,<sup>15</sup> the scheme would never have come into operation. Thus, after six years of continual trouble and despite the vacillation of what Wakefield called a Commission of "ignorant and careless amateurs," the Wakefield plan was being tried in practice, although Wakefield himself rejected this statement.

But the confusion in England was as nothing to that in the colony. In the first five months (July-December, 1836) fifteen immigrant vessels poured people into the new land but the wastes of Kangaroo Island and the marsh of Holdfast Bay dampened their enthusiasm. The Governor, the Resident Commissioner and the Surveyor-General all quarrelled and there was trouble, first over the site,<sup>16</sup> then about the survey.

Light, the Surveyor, staked off the town acres (January-March, 1837) but there was delay in marking out the country lots. The holders of land orders therefore commenced speculating with the yet unsurveyed lands and the embryo capital presented "a scene of idleness and discontent, of land jobbery and speculation." Even when Governor Gawler arrived at the close of 1838, 21,000 acres of preliminary purchases remained untouched by the surveyor's rods and the landowners were demanding a right of selection in the unsurveyed districts.<sup>17</sup>

14. I.e., 12/6 for the first £35,000, then 17/6. Cp. Brown's Journal, 28/5/35. For the final regulations, see Capper, "S.A." (1837), p. 49. Note the freedom from conditions and the claim that the tenure "is very much superior to that by which land is held in the other Australian colonies."

15. Since "it was evident that no more purchasers were to be obtained at £1 an acre." This privilege of 12/- was extended to all until March, 1836. For the part played by the Company, see J. Stephens' "S.A." (1839), p. 7; Hodder's "History of S.A.," Vol. 1, p. 34; Hodder's "Life of G. F. Angas," p. 109 on. Cp. J. Brown's MS. Journal, Vol. 8, 11-14, 30/9/35.

16. Account and Papers, 1841, Session 1, Vol. 4, pp. 50-60 appx. Torrens-Glenelg, 22/12/37. Cp. Bull's "Early Experiences in S.A.," p. 25. See fig. 22.

17. For the basic evil of the surveys, see Appx. 4C to Third Report of Colonisation Commissioners (Account and Papers, 1839, Vol. 17, p. 715); Hodder, Vol. 1, pp. 68-69; "Register," 7/6/37; "Sydney Gazette," 5/9/37; "Colonial Gazette," 30/9/40; "S.A. Record," 18/7/40, 13/6/40; "Southern Australian," 26/12/39; "Register," 1/2/40. For the revival of the survey, see "S.A. News," 15/1/42; "Southern Australian," 7/7/40; Grey-Russell, 27/1/42; MS. petition of landholders in S.A. Papers (Mitchell Library), Vol. 3, pp. 619-621. For first division of land, "a perfect bear garden," see T. H. James' "Six Months in S.A." (1838), pp. 61-63.

But there were two hopeful signs. The country<sup>18</sup> was found to be "good meadow land and well adapted for grazing" and, when Morphett crossed the Mount Lofty Ranges at the rear of Adelaide (1837), large areas of good silky grass were discovered. Already the South Australian Company<sup>19</sup> had stations on the Glenelg Plains stocked with merinos from Saxony and pure Leicesters from the north of England. Already, too, overlanders were commencing to bring stock from Port Phillip and the Sydney district.<sup>20</sup> Hawdon, the pioneer, arrived with a mob from the Hume in April, 1838; Eyre and Sturt, explorers both, followed by more southerly routes and Bonney came along the coast from the Glenelg.<sup>21</sup> Thus the flockmasters were enabled to push north and east from Adelaide. By 1839, the runs had extended to the "fine green-looking country" north of Black Hills and in the next year reached beyond the famous Pekina run.<sup>22</sup>

An equally healthy activity was the creation of a tenantry by the Company,<sup>23</sup> the policy being to set up small holdings with adjacent pasturage. By 1838, nineteen farmers had been settled but they found the terms very hard and the right of purchase a mockery. For example, the rent for one typical section of woodland was £33/10/- and the cost of purchase £17/10/- an acre! Nevertheless, the Company, with its tenants,

18. Capper's "S.A." (1837), pp. 4, 12, 25-9, for letters on fertility of land. For Morphett's journey over the ranges, see diary in Stephens' "S.A." (1839), pp. 17-18.

19. "In order that every encouragement may be given to the staple," the Company attached two square miles of lease to every city section. See "The Greet South Land; four papers on emigration designed to exhibit the principles and progress of the new colony of S.A." (1838), pp. 15-16.

20. The movement was aided by the drought in N.S.W. "S.A. Record," 2/1/40, leader.

21. For Hawdon, see Bull's "Early experiences in S.A.," pp. 76-80. Hawdon's own account is in the Adelaide Public Library, and was reprinted in Royal Geographical Society (Sydney), Proc., Vol. 5, 1891, p. 30 et seq. For Bonney, see Royal Geographical Society of Australia, S.A. Branch, 1901-2, p. 82 on. Cp. G. Williams, "S.A. Exploration to 1856" (1919), ch. 6, pp. 44-51.

22. "Colonial Gazette," 25/5/39. "Cattle stations are extended to a distance of 35 miles East from Adelaide." The best account of the occupation of the north is by Bull (who took part in it), pp. 95-99. In these same years, Arkaba and the other closer settlement blocks were occupied. The most northerly run was Howannigan Gap. "S.A. Record," 15/1/40; Gawler-Torrens, 2/7/39.

23. There were sections of 67 and 134 acres, each with 640 acres of pasturage, and let for 21 years, with right of redemption. For terms see First Report of S.A. Company (1837), p. 8; also Second Supplement; Capper's "S.A." (1837), pp. 67-71; 85-86.

its high-class herds and its aid to emigration was a useful factor in the early years.<sup>24</sup>

Thus matters stood when the second Governor, Gawler, arrived in October, 1838—"scarcely any settlers in the country, no tillage, very little sheep or cattle pasturing, and this only by a few enterprising individuals risking their chance as squatters." There were vexatious legal questions about selection and leasing; and, into this novel settlement on a fringe of unexplored territory, population was flowing in "and land selling with fearful rapidity."<sup>25</sup>

The trend therefore was inevitable<sup>26</sup> and Gawler, who was the first man to be both Governor and Resident Commissioner, could do nothing but send out "the peaceful artillery of theodolites" and hasten the survey. But this survey opened new districts which added to the possibilities of speculation. The purchase money, too, was used for bringing in more immigrants for whom there was no work. Hence, Government

24. Third Report of Company (1839), p. 16. By 1839 there were 41 tenants renting 1273 acres and depasturing 9600 acres. For case of typical tenant, see Royal Geographical Society of Australia, S.A., 1902-3, pp. 52-53; S.A. "Debates," Assembly, 1906, First Session, p. 16; "Our inheritance in the Hills, by a Special Correspondent," 1889, p. 32, holds that it was a policy of "letting out the land at a high rental in comparatively small blocks, and under conditions which gave the lessee no encouragement to cultivate his land scientifically, or to make substantial improvements upon it." By 1848, however, the Company had leased 21,657 acres, the farming land for 5/-, the pastoral for 1/- (Twelfth Report, 8/6/48, p. 8). The Company continually added to its lands, e.g., by acquiring two special surveys in 1840, it had 36,068 acres in all, including "nearly one-sixth of the town." In 1845, another special survey (mineral) was obtained in the Mount Barker district (Tenth Report, p. 11). This land was largely retained and, by 1909, the Company held 32,347 acres, worth a million pounds (originally cost £24,000). Cp. 1906 Assembly Debates, p. 342. The Company gave up banking to a separate Company in 1842, and squatting in 1850, but kept its other interests. Largely as a result of Federal and State land taxes, it is now on the point of liquidation.

25. "Times," 22/10/44. See fig. 18 for graph to show this.

26. Cp. Gawler's despatch of a fortnight after his arrival. "The surveys are altogether unequal to the demand for land; 21,000 acres of preliminary purchases remain unsatisfied; and, of course, the great mass of subsequent purchases unprovided for." Gawler governed from October, 1838 to May, 1841. Gawler-Angas, 4/6/46. For estimate of Gawler, see

(a) FOR.

"S.A. Government Gazette," 1/4/41.

"Colonial Gazette," 30/12/40.

Account and Papers, 1841, Vol. 4, appx. p. 94, for Colonisation Commissioners-Stephen, 26/8/40.

Gawler's own very clear vindication in despatches of 3/2/40 and 26/2/40. Note especially the long despatch to Russell, 28/12/40.

praise of S.A. Council in 1841 Account and Papers, Vol. 4, p. 132.

(b) AGAINST.

1841 Committee on S.A., qu. 200, 470, 2264-8, 523-31, 1016-9, 2330-5.

For reasoned *résumé*, see Mills, 247-252. The reasonable view seems that outlined in the S.A. "Government Gazette," 28/4/41. "I am not primarily responsible for the rapidity of the sales of land, and influx of population. This rapidity taking place, I had to keep pace with it, to survey the one and to protect and preserve the other." But, on the other hand, the expenditure could have been less.



rations, employment on public works, the drawing of bills, and their dishonoring (February, 1841) were alike inevitable, for such a course of expenditure grew on itself.

Therefore, when the 1841 Select Committee was appointed, there was a deficit of over £300,000, a survey 200,000 acres in arrears, a "stagnation of commercial business," "a spirit of speculation adverse to steady and plodding industry."<sup>27</sup> On the other hand, 12,000 people were in the colony, 120,000 sheep were shorn annually, 8000 acres were under cultivation, and settlement had extended to Horrock's furthest sheep station, ninety miles from Adelaide.<sup>28</sup>

The elements of progress were there and could be realised when the 1841 Committee placed South Australia "on the same footing with other colonies."<sup>29</sup> Auction with a higher price was to be the land system and half only of the land revenue was to be "exclusively applicable to the purpose of immigration," the rest going to the general revenue.

How far, then, did this Committee embody the ideas of Wakefield? Clearly, it rejected the self-supporting idea, although Wakefield himself always opposed that aspect. It went with Wakefield in upholding a higher price, against him on the matter of auction.<sup>30</sup> The favor to squatters and the rigid devotion of part of the land fund to emigration were Wakefieldian ideas; and the conclusion must be that the Committee approved of the practical portions of the theory, while grafting on expedients opposed to that theory.

Hence the failure before 1841 was due not so much to

27. "S.A. News," 15/10/41, 15/11/41, 15/1/42. R. J. Jamieson's "N.Z., S.A., and N.S.W." (1842), pp. 19-20. The colony had alienated land sufficient for a population nearly nine times its size. See Gawler's first half-yearly report, "Colonial Gazette," 6/5/43. £265,000 of land had been purchased, £126,000 in England, £138,000 in the colony. For deficit, see financial statement of Colonisation Commissioners, 1/3/41. Paper 8 of 1841, Session 1, Vol. 4, p. 191 of appx. Liabilities, £296,449/10/9, and £27,500. Assets, £17,728/10/3.

28. "S.A. Record," 8/8/40; "S.A. Register," 1/2/40; Cp. "Morning Post" article quoted in "S.A. News," 15/3/42; and the Sixth Annual Report of the S.A. Company; "S.A. News," 5/7/42. For cultivation, see "S.A. Register," 1, 8/1/42; "S.A. Almanack," 1842; "S.A. Record," 23/5/40; "Southern Australian," 11/8/43. For the land itself, see "S.A. News," 15/2/42; "Colonial Gazette," 21/12/42. For increase in values, see "S.A. Record," 1/1/40, or "Register," 10/8/39.

29. Full report in Account and Papers, 1841, Session 1, Vol. 4, 272 pp. of evidence and 358 pp. of documents in appendix. Recommendations embodied in Act of 15/7/41. Regulations under Act in S.A. "Government Gazette," 18/5/43.

30. 1841 Committee, qu. 2680. Wakefield's idea of premiums was closely akin to auction. In his evidence, he advised a higher price, no special surveys, and the restoration of a proper proportion between the population and the land sold. The most valuable portion was in his re-examination (qu. 2890-3027).



the practical parts of the theory as to the extraneous elements. Despite the misappropriation of the land fund,<sup>31</sup> despite the excess of the one element of land, despite the insufficient price and despite the unwonted practical difficulties, Wakefield was able to conclude that "the experiment has been very successful as respects the sale of land and the promotion of emigration."<sup>32</sup>

But, although he pleaded that "the experiment did not attain the success of being fairly tried," there was the other side of the equation. Of Wakefield's elements, two—land and labor—were greatly in excess, and the third—capital—failed to combine them, for three-fifths of the land was held by absentees, "who, of course, expend no capital and create no demand for labor."<sup>33</sup> In this regard was the most conspicuous flaw in the theory as applied in South Australia. A second fault was that the difficulties of establishment had not been sufficiently considered.<sup>34</sup> In short, the one factor of labor had been unduly emphasised although the experiment showed what could be done by subsidised emigration. But, as Wakefield said, governmental difficulties, the lack of surveys and the speculation prevented a fair trial.<sup>35</sup>

In one other direction, that of special surveys, did Wakefield's emphasis of sales reveal weakness. The device was to enable capitalists to pick 4000 acres out of blocks of 16,000, "culling the choicest lands and the best situations."<sup>36</sup> Within seven months (January-August, 1840), there were thirty such surveys, the results being wholly evil. The outcome was not the "equable diffusion" which was expected but "ruinous improvidence" from the Government's point of view, delay for the settler, and a widening of the breach between labor and

31. "Spectator," 24/10/40; "Colonial Gazette," 30/9/40.

32. 1841 Committee, qu. 2583. Cp. pamphlet, "Canada and S.A." (1839).

33. "S.A. Register," 30/4/42, an able leader. "The mere sale of land therefore is the most false and dangerous criterion upon which to regulate emigration."

34. Leroy-Beaulieu's *La Colonisation*, Vol. 2, p. 380, "*l'omission totale de tout moyen pour pouvoir aux dépenses préparatoires de la colonisation.*" Also stresses "*les éléments trop nombreux et mal définés*" of Government. Cp. 1841 Committee, qu. 2568.

35. "Spectator," 16/4/42, "originators were scarcely permitted to found the colony, and then only on dictated terms." Cp. "Colonial Gazette," 23/9/40, and "Art of Colonisation," p. 58. Cp. Brown's MS. Journal (Mitchell Library); *passim*, and letter to Wakefield in S.A. Papers, Vol. 2, p. 479.

36. Grey-Russell, 18/11/40; 1841 Committee, appx. p. 144; and, for various view-points, the evidence of Torrens, Hutt, Mann and Wakefield; Fourth Report of Colonisation Commissioners, p. 32; Russell-Grey, 29/12/40 (ending system); "Register," 8/5/41.

capital. The very first allotment included two cattle stations near Mount Barker and it was complained that the surveys were "swallowing up all the good land."<sup>37</sup> Accordingly the scheme was abandoned in May, 1841, the Committee of that year declaring against it.

Hereafter, the stress was on consolidation<sup>38</sup> rather than expansion, and the next decade was one in which the colonists attempted to restore the equilibrium between the three elements of land, labor and capital. There were emigration and labor troubles, but on the whole a gradual advance.<sup>39</sup> The shortage of men was so acute that Silesian shepherdeses shored the sheep and the marines were turned into the fields at harvest time. By 1844, although the cultivated area had increased from 2505 to 28,690 acres, there had been no immigration for four years.<sup>40</sup>

But, in November, 1844, voluntary German emigration commenced and the population increased 64 per cent. within the next four years. Aided by Ridley's labor-saving reaping machine, cultivation went on and by the late forties an acute demand for land had once more arisen.<sup>41</sup>

Hence came a plea for regulated and not indiscriminate immigration, for colonisation in Wakefield's sense, and not a mere pouring-in of labor,<sup>42</sup> for a "balance between labor and

37. Each block cost the Government £2500 for survey and contingent expenses, and not until 1841 were the selectors compelled to choose "a compact block of land." See "S.A. Record," 29/8/40; "S.A. News," 15/10/41; "S.A. Gazette," 13/5/41. For other abuses, see "Quarterly Review," June, 1841, p. 128; "S.A. Record," 7/3/40; 28/3/40; p. xvi. of recommendations of 1841 Committee. In the interim, many companies had been formed, especially a "Secondary Town Association" (see booklet of 40 pp., 1843). This body bought three surveys, two on the Light, one on the Murray. Cp. "An Association for the Purchase of Land in S.A."; "Irish S.A. Emigration Community"; "German Company," etc.

38. "Government Gazette," 11/2/42; "S.A. News," 15/3/42; 15/5/42; Grey's despatches of 22-23/2/42. See graph on fig. 18.

39. "Government Gazette," 2/6/42, and Grey-Stanley, 31/5/42, for revival of survey. By 1842, 300,000 acres were open in the nine new counties. For agriculture, see "S.A. News," 5/7/42; Bennett's "S.A.," pp. 77, 82.

40. For the labor questions and their bearing on land settlement, see despatches of Grey in Accounts and Papers, 1843, Vol. 32; "S.A. News," 15/10/43; "Government Gazette," 16/11/43; "S.A. News," 15/5/44, 1/9/44; petition in "Adelaide Observer," 30/12/43; Grey-Stanley," 7/10/43; "Times," 22/10/44; "S.A. News," 1/11/44 for resumption; Cp. 1/5/45, for the flocking of Germans to "*Das Land wo die Citronen blühen*"; "Colonial Gazette," 1/6/44; Ayers' "Pioneer Difficulties in founding S.A.," (1891), p. 15; W. Collisson's "S.A. in 1844-45," p. 25; "South Australian," 26/11/44; "Colonial Gazette," 26/10/44.

41. "S.A. Gazette," 5/6/47, but contrast "Register," 21/12/44.

42. "Register," 26/2/50; "worn-out soldiers, Chartist spies, Government reformers and penitent thieves" were sent to join "Irish orphans, work-house sweepings, ragged school children, respectable spinsters and decayed governesses." Cp. "S.A. Gazette," 12/4/49, and "Reports exhibiting the Past and Present State of Her Majesty's Colonial Possessions," 1848, p. 420.

capital." In the interim, there had been advance, especially in the matters of sales and mining.

Governor Grey's influence prevented abuses<sup>43</sup> and attempted to undermine the illicit collusion by which sales became "rather an exhibition for sale than an auction sale."<sup>44</sup> The auction system, remaining intact until 1867, was generally accepted as "the fairest mode of disposing of the Crown lands" and for fifteen years at least worked well.<sup>45</sup>

But at this time a new strand entered the land situation, for the minerals—the silver-lead of the Glen Osmond lodes (1841), the green malachite of the Kapunda sheep station and the copper of the Burra Burra (1845)—opened perplexing difficulties, in addition to providing an impetus to development. A royalty to be taken by the Crown was proposed as early as 1844 and imposed two years later. This was an important point and provided the main battle ground of the late forties, the largest meeting ever held in the colony (1846) protesting against the impost.<sup>46</sup> Though the actual issue did not justify the *furore* which resulted, it was important because it roused the people to concerted action on land matters and because it marked the power of a new element—the mining which was destined to shatter the equilibrium which had by this time been worked out between Wakefield's three elements of land, labor and capital.

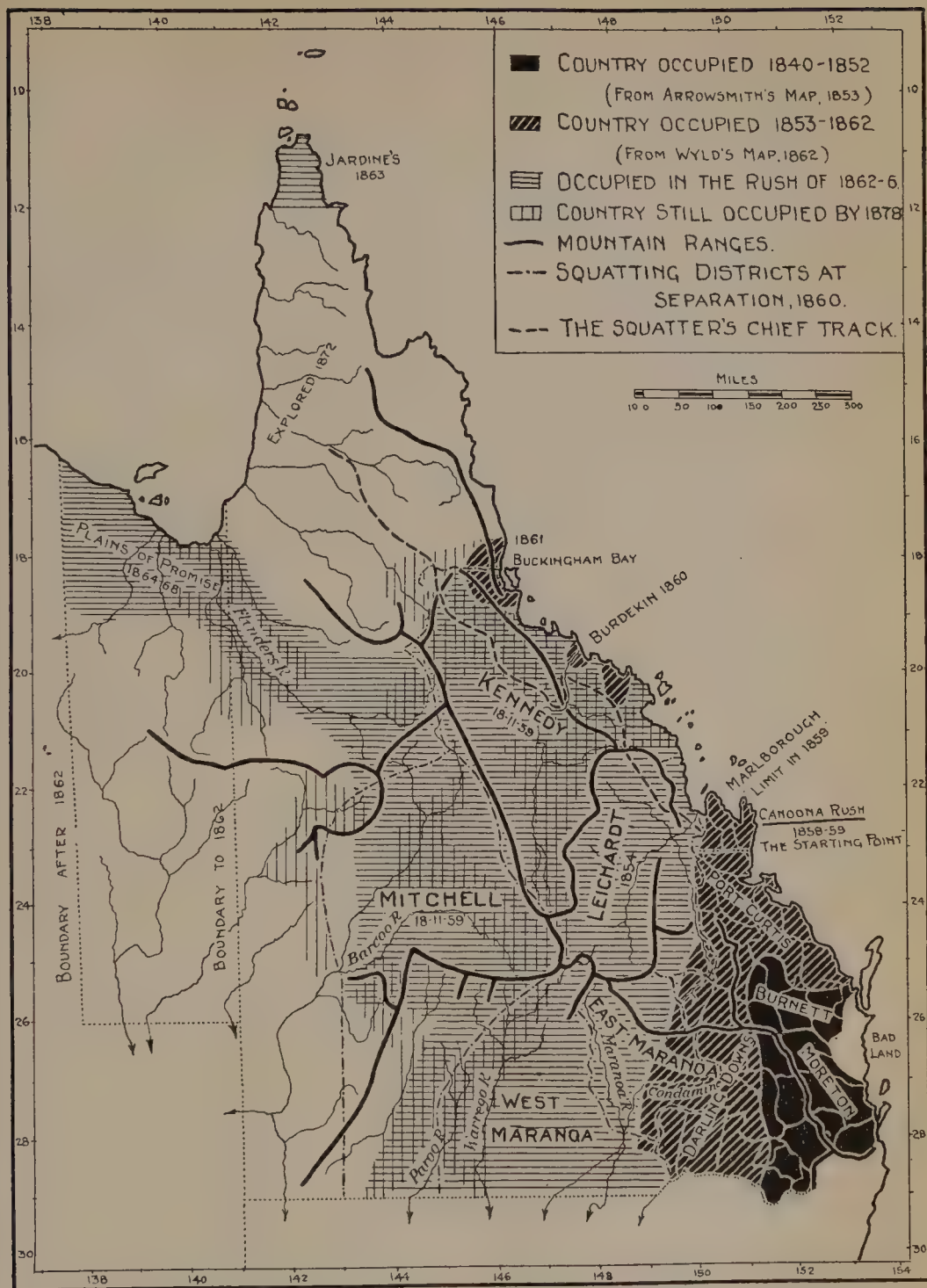
43. Grey-Stanley, 7/3/42, 22/4/42; Stanley-Grey, 30/11/42; "S.A. News," 15/4/43. Restrictions were necessary, because speculators owned and kept idle 60 per cent. of the land.

44. "S.A. News," 1/3/45.

45. "Adelaide Observer," 29/6/44; Reports exhibiting the past and present state of Her Majesty's Colonial Possessions, 1847, p. 244; Robe-Grey, 15/2/48; Report of C. L. and E. C., 1849, p. 17.

46. The dues were withdrawn in August, 1849. See "S.A. Register," 23/10/44; Robe-Grey, 17/6/46; Report of C. L. and E. C. on mines, 14/5/45; "South Australian," 18/8/48; "Government Gazette Extraordinary," 17/8/48 (abolition); "Government Gazette," 6/5/47, and 2/8/49 for Robe-Grey, 30/12/46 and reversal of this; "S.A. Gazette," 15/5/47; Grey-Robe, 6/1/47; Report of C. L. and E. C., 1849, pp. 60-61; Dutton's "S.A. and its gold mines" (1846), p. 189; "Adelaide Observer," 28/3/46; 10/10/46.





## THE SQUATTING OCCUPATION OF QUEENSLAND

Fig. 30.





## CHAPTER 12.—WAKEFIELD'S INFLUENCE: WESTERN AUSTRALIA (1830-50).

In 1832, when sales were introduced, Swan River was suffering from "an unavoidable lack of energy and activity"<sup>1</sup> and this continued during the Wakefield period. It is true that there were signs of progress, as, for instance, when the Trimmers crossed the mountains (1831) and established flocks which in three years amounted to 3545 sheep.<sup>2</sup> So also in agriculture, there was an increase by 1834 to 1036 acres, and expansion from the original "Plain of Quartania" was in full swing.

But the dominant note was stultification, attributed by the settlers to the new land system. Auction had clearly failed. When, for example, 3000 acres of *good* land could be purchased at 4½d. and when blocks were selling on the Avon for a farthing an acre, Government sales at 5/- were ineffective save for those lands to which "some superiority in position" attached.<sup>3</sup>

The Wakefield theorists, however, attributed the depression to previous grants rather than to the auction system and attempted to enforce their ideas in the colony. To clear the ground, they removed former abuses; then one of their adherents, Governor Hutt, tried to bring in the essentials of the Wakefield plan; and, lastly, private enthusiasts set up small Wakefield colonies. At all three of these stages there was popular resistance; and in general the result was failure, for the discrepancy between the original conditions and the Wakefield plan could not be bridged.

The first stage was in the removal of prior abuses. The

1. "Perth Gazette," 16/11/33; 23/2/33; Collie MSS. (Federal Parliamentary Library), letters of 28/7/32; 25/3/33; 31/5/33.

2. G. F. Moore's "Ten Years in W.A.," letter of 27/11/31; "Perth Gazette," 18/5/33; Collie MSS., 12/5/34; Report of Agricultural Society for 1834, in Irwin, pp. 86-89. This opened up the famous York district, discovered by Dale and Brockman. "Swan River Guardian," 27/10/36, 2/3/37; "Perth Gazette," 19/12/35. Cp. too the marking of a road from King George's Sound; "Perth Gazette," 26/3/36.

3. "Perth Gazette," 18/4/35; Collie MSS., 25/9/34. See fig. 21.

Government had to proceed carefully for, while it could fine delinquents, it had no power of resumption until ten years had elapsed.<sup>4</sup> It first tried to reduce the large grants scattered on the Swan, and, when this was in part accomplished,<sup>5</sup> threatened to enforce the penalties for not improving the land or "performing the location duties,"<sup>6</sup> as they were called. Such a threat was in some ways effective, for merchants and absentees transferred part of their land to persons who in return performed the duties for the whole.<sup>7</sup> Though this was an evasion of the law requiring occupation, the Government gained because more land was cultivated.

At the same time (1833) the restriction on alienation was removed, thus relieving new settlers of the need of going far inland. And, since the original cultivation clauses were transferred to the new holder, the Government lost nothing.<sup>8</sup>

After these salutary reforms of 1831-33, the Government went further and tried to recover for itself some of the alienated land. Of course, the limitation on its power of resumption was the stumbling block, although another way out of the difficulty remained. This arose from the fact that the settlers had pronounced grievances, especially in regard to the evaluation of improvements. Most owners held their lands in more than one block, having a narrow "ribbon grant" on the Swan or Avon and the remainder "over the hills." But the improvements which they effected on the more central river blocks were not allowed to count for the holdings beyond the ranges and, since much of the interior land was useless, this became the leading land grievance of the thirties.

Following numerous public meetings came a petition signed

4. 21 years under 1828 regulations, 10 years under 1828 and later regulations.

5. The granting of only "a limited quantity" of river frontage was given a retrospective effect, and by 1833 "all grants on the Swan, exceeding 5000 acres" were cut down. See Irwin (1835), pp. 46-47.

6. The objects of the duties were "the one, to force as much land as possible into improvement; the other, to enable the Government to resume such portions as were not cultivated within a specified time." Ripon's despatch of 8/2/33. (Accounts and Papers, 1840, Vol. 33, p. 109). See also "Perth Gazette," 24/2/39.

7. Irwin (1835), p. 47; "Extracts from Letters by a Gentleman, lately established in the Swan River" (1832), letter of 12/11/30. Cp. Accounts and Papers, 1856, Vol. 17. Qu. 584 before Lords Committee of Transportation.

8. Goderich-Stirling, 8/3/33, proposing a *via media*; the concession of a clear title, if a portion were surrendered. Cp. Stanley-Stirling, 30/7/33; "Perth Gazette," 8/8/35.

by a third of the people<sup>9</sup>, and with it the Government's opportunity. The settlers wanted concessions; the Government wanted land. Why not, therefore, have a compromise and release the settler from the obnoxious conditions, if in return he surrendered part of his land? This device, hinted at in Goderich's time (1833)<sup>10</sup> was really worked out by Glenelg, the Secretary of State in 1837. Those settlers who had arrived before July, 1831, and who had received much bad land in the confusion were allowed to receive 30 acres of good land for every 100 surrendered; those who had good land but who had failed to improve it could obtain one-third by giving up the remainder.<sup>11</sup>

This compromise would have aided both settler and Government but unfortunately the agitation broke out anew with a more stringent attitude on the part of the Government. This in turn was due to two facts, the first that Hutt, a systematic coloniser, replaced Stirling as Governor, the second that the powers of resumption became operative at this time. At once the change was noticeable and Hutt announced (February, 1838) that the tax on defaulters would be imposed and that resumption was not a mere empty threat.<sup>12</sup> A land tax was mooted in the Council (September, 1839) and the Attorney-General said that "upwards of 100,000 acres" were to be resumed—"all situate in the very best districts."<sup>13</sup>

A stringent enforcement of conditions was thus to pave the way for more Wakefield ideas and in this Hutt was supported by the new Colonial Land and Emigration Commissioners to whom any liberal interpretation of the Government's rights, as in Glenelg's compromise of 1837, was anathema. They insisted that, "when parties have taken their lands upon plain and intelligible conditions, to which they have assented, there can be no hardship in requiring them to fulfil them."<sup>14</sup>

9. "Perth Gazette," 21/2/35; 8/8/35. For memorial, see Glenelg-Stirling, 7/3/37, in *Accounts and Papers*, 1837-8, Vol. 40, pp. 37-38.

10. Despatch of 8/3/33; *Accounts and Papers*, 1837-8, Vol. 40, pp. 17-18.

11. Glenelg-Stirling, 7/3/37; *Accounts and Papers*, 1840, Vol. 33, p. 94.

12. Russell-Hutt, 23/12/39; "W.A. Government Gazette," 10/1/39, for increased penalty; cp. Russell-Hutt, 4/8/40. See C. L. and E. C.-Russell, 14/7/40, in *Accounts and Papers*, 1840, Vol. 33, p. 116. See Moore's "Ten Years in W.A.," entry for 27/9/39, p. 392.

13. Moore, writing 14/2/40, said, "legal points of much nicety and difficulty" arose in this connexion.

14. For official attitude, see C. L. and E. C.-Russell, 11/7/40. For settlers' point of view, see petitions in *Accounts and Papers*, 1840, Vol. 33, pp. 106-111; "S.A. Record," 1/1/40, 1/2/40, 26/12/40.



The *modus vivendi* was thus re-interpreted to meet the changed conditions of 1839-40. A quarter of the original holdings was ceded, whether conditions had been fulfilled or not.<sup>15</sup> Above this minimum, those who had worked on their lands received a proportionately larger share although, for the sake of uniformity, those who divided their improvements on more than one block received exactly the same amount as absentees who had done nothing.

Although the last proviso, due to the influence of the Land and Emigration Commissioners, was unfair, the compromise as a whole met the situation and the colony seemed ready for a further application of Wakefield's ideas. A slow expansion, chiefly for pastoral purposes, had been going on during the land agitation and new land, especially that covered in the numerous journeys of Moore,<sup>16</sup> was occupied. There was every incentive for this—wool was dear, land was cheap to buy and cheaper still to occupy, the labor trouble was less severe than in agriculture,<sup>17</sup> profits were said to exceed 50 per cent. annually. The York and Toodyay regions were therefore stocked, and by 1840 there was communication for the flocks from King George's Sound to the Williams. As a result of this activity, the flocks which numbered only 8528 at the end of 1836 had increased to 30,961 by 1840.<sup>18</sup>

But the reformers concentrated rather on the weaknesses of the situation, especially in agriculture, and pointed out that, of the 1,524,000 acres alienated at the end of 1837—2032 acres for every man in the colony—only 2123 were cultivated.<sup>19</sup>

15. Instead of the one-third of Glenelg's 1837 arrangement. Cp. the position of these first grantees and the pre-emptive rights of the Victorian squatters over town sites.

16. Moore, pp. 309, 400; "people talk of squatting now"; "settlers are now going into the interior, to the extensive grazing tracts" (May, 1839). This was aided by the land regulations which, said Stirling, "appear to favor those pastoral occupations which do not require fixed residences or a right of property in land." See his elaborate analysis in despatch to Glenelg, 3/12/37. For Moore's journeys, see Moore himself, or Cross' "Journals." The leading were from the Swan to the Avon junction (1834), to the country north of the Swan (1835); to Moore River and the new land near Northam (1836). Cp. "Perth Gazette," 4/12/39.

17. For labor trouble, see reports of Agricultural Society for 1839 and 1840; Stirling's 1837 Report, in Accounts and Papers, 1840, Vol. 33, p. 95; Accounts and Papers, 1857-8, Vol. 24, p. 151; Stirling-Glenelg, 15/10/37; Moore, p. 270; "Perth Gazette," 8/11/34; "Perth Inquirer," 26/1/42; 1843 Report of C. L. and E. C., p. 4.

18. "Perth Gazette," 23/11/39; "S.A. Record," 14/3/40; Buckton's "W.A." (1840), p. 53; "W.A. Almanack," 1842; Gill's "W.A." (1842), p. 31.

19. C. L. and E. C.-Russell, 11/7/40. See comments in Murdoch and Rogers to Merivale, 30/1/55, in Account and Papers, 1857-8, Vol. 24, p. 151.

Capital and labor found no increments and the Wakefield balance seemed as far off as ever.

To answer such criticisms, a body known as the "West Australian Association" had been formed in 1835<sup>20</sup> but it was superseded, after disseminating much information, by the "West Australian Committee" (1838),<sup>21</sup> a body of Wakefieldians who strove to extend the principles of "systematic colonisation" and a "due price" to the Swan River. The Committee attempted to secure an adequate relation between land sales and emigration and, to prove the worth of their theory, advocated new settlements in West Australia.

The result was the Australind settlement which was deemed in the early forties to open a new era for the colony<sup>22</sup> and to mark its conversion to Wakefield ideas. And, though important for its possibilities rather than its actual achievements, it was one of the outstanding episodes in the early history of the colony. A "West Australian Company," whose directors included William Hutt, Montefiore and Wakefield himself, was formed<sup>23</sup> and planned to utilise Latour's large block of land at Port Leschenault to establish a scientifically organised colony which was to be the precursor of a series of settlements to bring West Australia into line with the latest developments of colonial theory.

The 51,000 acres purchased from Latour were subdivided in a very orderly and mechanical fashion,<sup>24</sup> each lot consisting

20. "Swan River Guardian," 10/11/36. See "First Report of the W.A. Association," 1836 (24 pp.), pp. 6-8; "Second Report" (1837) (52 pp.) for the Correspondence Committee's valuable report.

21. Relevant despatches are in full in Buckton's "W.A." (1840), p. 14, et seq. See especially W. Hutt's deputation to Glenelg, 3/5/34; Grey's despatch of 22/5/38; propositions of 6/7/39. The keynote was that "it is indispensable to render land more difficult of acquisition that it has hitherto been in the colony." For the attitude towards the S.A. principle, see the "Perth Gazette's" attack on Gouger (1835), and leaders in the "Swan River Guardian," 10/3/36, et seq. Cp. Glenelg-Stirling, 7/3/37, for reaction in favor of "a due price."

22. Gill's "W.A." (1842), pp. 3, 5. Appx. F contains the Australind regulations. See also the account by Buckton, the secretary of the Company.

23. Hutt was the chairman, Chapman the deputy. The Company was formed officially in May, 1840. See Moore's "Ten Years in W.A." entry for 5/7/35, p. 272, for first mention of scheme. For Hutt's proposals of 1/7/39, see Buckton.

24. The town was to consist of 4000 quarter-acre sections, and there were to be 500 rural blocks. Land orders were to be transferable, and half of the proceeds were earmarked for emigration and public purposes. For impressions of a disinterested observer, see Mollison's MS. Diary (Mitchell Library), 11/4/41. "The present ground plan of Australind is all nonsense, and never can or will be carried out, unless a barren sandy country, overrun with wood (generally speaking) be converted into one of fertility. I would rather give £5 an acre for my garden, than 5d. an acre for their projected 100-acre rural sections. No man in his senses would ever think of cultivating them for profit."

of four town sections and one rural allotment of a hundred acres.<sup>25</sup> But, although the land was eagerly bought, the project was ruined at its inception, for Latour's title, the pivot of the whole transaction, was worthless because the improvement clauses of his contract had been neglected.

Therefore, in April, 1840, although his brother was chairman of the Company, Governor Hutt resumed the land to the Crown. It afterwards transpired<sup>26</sup> that the Home Government's ratification of the title was even then on its delayed journey southwards but, as this was not known, a deadlock was imminent. At this opportune moment, Grey, the explorer, arrived in England with glowing accounts of the "rich flats" and "fertile downs" of the Gantheaume Bay country to the north of Perth.<sup>27</sup> The directors at once resolved to transfer the entire colony to this new site, for their artistically executed ground plan would suffice anywhere. But the proposed change ruined the scheme, the directors were at loggerheads and most of the speculators withdrew.<sup>28</sup> When, finally, Grey's harbor story proved a false report and when conflicting accounts arrived both of the Grey and the Leschenault country, the end came. "The West Australian Company, like an unsubstantial pageant, or Port Grey itself, 'melted into air, thin air,' leaving 'not a rack' behind.'<sup>29</sup> And Australind itself, although still a promising town at the close of 1842, came to be an almost deserted hamlet, another reminder of the opposition between West Australia and systematic colonisation. Even Wakefield's idea of a balance between labor and capital could not prevent a result similar to that of Peel's attempt ten years before.

25. Gill, pp. 165-78; copy of prospectus, dated 12/8/41, in Battye's "W.A." (1922), appx. F, pp. 515-521.

26. E. W. Lander's "The Bushman" (1847), p. 415. Lander, pp. 413-420, gives the most graphic account of the fate of Australind. Cp. "S.A. Record," 17/10/40; 14/11/40.

27. See Grey's diary for 7/4/39. "Journals of Two Expeditions of Discovery in N.W. and W. Australia," Vol. 2, pp. 26-39, 35, 123. The spot south of Port Moore was named Port Grey, by Moore. For later investigations, see "Sydney Gazette," 20/4/41; "Perth Gazette," 25/12/41. Cp. Wollaston's MS. Journal, p. 32, entry for 28/12/41, expedition returned from seeking "the much talked of Port Grey; there is no such place as Port Grey. So much for Gibbon Wakefield's prize, as he called this new acquisition—the maps are wrong—the country round *where it ought to be* is described as worse than can be imagined."

28. "Almost all chose to reclaim their cash, and declined further speculation" (end of 1840). Lander, p. 419. See "W.A. Government Gazette," 18/7/40, for ratification of title.

29. For later history of Company, see Battye, p. 170. For Company's expenditure to this point, see Accounts and Papers, 1844, Vol. 31, p. 5 of report of 2/4/44.



The union of this spectacular *débacle*, the attacks of the South Australian enthusiasts, the neglect of the Colonial Land and Emigration Commissioners, the scarcity of labor and the depression of agriculture served to impress on the colony a note of stultification.<sup>30</sup> The revenue was less in 1844 than it had been eleven years before and stock had depreciated 1000 per cent. in five years.<sup>31</sup> Land sales were stopped by the rise in price (1840),<sup>32</sup> by a projected land tax, and by the presence of the remission certificates given to landowners under Glenelg's exchange device.<sup>33</sup> A Committee of the Council reported against the "powerful and baneful" influence<sup>34</sup> of the regulations and there was continual friction between Hutt and his Council on the matter, dating back to 1842.

Thus, Western Australia was languishing, despite the series of Wakefield experiments.<sup>35</sup> Neither the more simple schemes, such as a tax on land, nor the wider ones, such as the Australind settlement, had availed, the placid stagnation of Australind and the inoperative sales regulations showing how useless they had been. Of course, if South Australia, starting with a clean slate, experienced difficulties, it was only to be expected that the Swan River settlement would find them

30. Hutt-Stanley, 28/3/45. Wollaston's MS. Diary, pp. 5, 25. "Somehow or other, bad legislation and monopoly are allowed to continue"; "if the present system of sending out shiploads of Emigrants *without capitalists to employ them*, is continued, great distress will ensue" (entry for 20/12/42); cp. 29/12/42 and 10/1/43.

31. Ewes worth £5 in 1839 would not bring 10/-. "The nominal value of each land and stockholder's property was ruinously reduced." "Reports exhibiting the Past and Present State," 1845, p. 137. Contrast Gill (1842), p. 2.

32. First to 12/- (July, 1840), then £1, despite Hutt's opposition. See Hutt's despatch, 3/5/39; remonstrance of Agricultural Society in Moore, pp. 410-411; C. L. and E. C.-Irving, 21/3/40, in Buckton (1840), p. 25. Cp. "W.A. Government Gazette," 11/7/41; also 18/6/41 for the £1 regulations, and 31/3/43, 30/6/43, for the application of Stanley's Act to W.A. See "Inquirer," 6/2/46, for unpopularity of this. Cp. "S.A. Record," 28/3/40; 18/4/40. For the tax, see Accounts and Papers, 1842, Vol. 25, p. 55.

33. They were used as letters of credit for land purchases and holders (until 1843) used them to re-select land in several small portions. Even in 1847, 4600 were still outstanding. See Accounts and Papers, 1842, Vol. 25, p. 55; 1843, Vol. 31, p. 30, for Hutt's despatch of 18/10/43. Cp. Irwin-Grey, 30/6/47 and 1845 Report of C. L. and E. C. In 1844, 5440 acres of land were bought and all paid for in certificates; in 1845, 2720 acres, and £2770 in certificates.

34. Proceedings of Legislative Council, 18/7/44.

35. For backwardness, see "Sydney Gazette," 12/3/42; cp. 27/8/40. The last experiment was when Hutt wondered "whether land might not be given in return for imported labor, instead of for money payments." It was in this direction that the Colonisation Assurance Company worked. It was formed by Nash and Hutt himself by a special Act (13 Vic., c. 21). To foster emigration, the Company was to receive 20 acres of land scrip for each emigrant, but so many restrictions were imposed that, after a few emigrants were brought in, the scheme dropped. See appx. 14 of 1849 Report of C. L. and E. C. for terms, and 1850 report for end of idea. Cp. p. 9 of 1845 Report.



magnified. But the reformers had claimed that, belated as they were, their ideas would restore prosperity and in this, although Hutt's stringency was beneficial in many ways, they had failed. Not even the systematic colonisers could restore prosperity in Western Australia.

PART III.  
THE PERIOD OF SQUATTING.  
1831-1855.

"The mountains saw them marching by;  
They faced the all-consuming drought,  
They could not rest in settled land,  
Their faces ever westward bent  
Beyond the farthest settlement,  
Responding to the challenge cry  
Of 'better country further out.'  
It was not much! but we who know  
The strange capricious land they trod—  
At times a stricken, parching sod,  
At times with raging floods beset—  
Through which they found their lonely way,  
Are quite content that you should say  
It was not much, while we can feel  
That nothing in the ages old,  
In song or story written yet  
On Grecian urn or Roman arch,  
Though it should ring with clash of steel,  
Could braver histories unfold  
Than this bush story yet untold—  
The story of their westward march."

—A. B. Paterson: "*Song of the Future*."



## CHAPTER 13.—SQUATTING.

### I.—*The Elements of Squatting.*

The story commences with the decline of Spain's monopoly of the fine wool trade, the rise of the German states, and the dissemination of Spanish merinos into the new worlds of the west and south. Spain was waning as an empire; her theory that sheep had to be moved continually from high to low altitudes was discarded; her merinos, to export which had previously been treason, were being handed over in thousands by the terms of Napoleon's treaties.

Therefore, the greatly desired Spanish merinos spread rapidly over Europe<sup>1</sup> at about the time Australia was emerging. George III. had previously set up a Spanish stud and commenced annual sales in 1804<sup>2</sup>; but neither the English nor the Scotch farmers would have anything to do with *foreign* animals. Consequently the fine woolled sheep of Spain went to America and Australia.

Some had previously been sent to the Dutch rulers of the Cape of Good Hope but the *veldt* farmers, like the English, would have none of them<sup>3</sup> to mix with their own fat, butter-tailed animals. By 1797, then, there were 32 pure merinos lying idle in the hands of the Commandant, Gordon. A way out of the difficulty came with the arrival of two transports which, under Captains Waterhouse and Kent, had come from Port Jackson for provisions. The two captains bought 26 of the merinos for £4 each—a cheap rate in view of the fact that similar animals were selling in America at £200. After severe losses—"for the animals had to live on air for several

1. For spread of the merino, see L. G. Connor, in Annual Report of American Historical Association, 1918, Vol. 1, p. 101; McIvor's "History of Sheep Farming" (1893), ch. 3. For purposes of comparison, it is interesting to note that not until 1810-11 did the merinoes commence to influence American flocks. Connor, pp. 102-3.

2. For first sale, see "Agricultural Magazine," 1804 (August). For position at this time, see J. Luccock's "An Essay on Wool" (1809), esp. p. 257.

3. A full account is in McIvor, pp. 35-38. Cp. Connor, pp. 101, 103.



days"—the sheep reached Sydney and were distributed amongst the leading settlers, forming the basis of the famous Macarthur and Cox flocks.

New South Wales had at this time about 4000 sheep—"with long heads, Roman noses, slouch ears, narrow chests, and bad narrow shoulders, high curved backs, tremendously long legs and coarse hairy fleeces."<sup>4</sup> Macarthur, an officer of the New South Wales Corps, commenced to experiment with these hairy goat-like animals and to cross them with a few Irish sheep and his eight merinos, laying the foundation of the fine-woolled flocks of Australia in doing so.<sup>5</sup>

To these South African sheep, he added eight more merinos bought at King George's first sale in 1804.<sup>6</sup> Brought to Australia in an American schooner, the "Argo," these became known to stockbreeders as the "Argo lot" and, when united with the Gordons, produced the famous Macarthur merinos, the leading stud flock in early New South Wales.

But Macarthur had a long uphill fight<sup>7</sup> for, in the colony, the settlers preferred carcasses to wool and, at home, Sir Joseph Banks was hostile. In 1803, however, Macarthur submitted samples of fine wool to the Privy Council and secured the sanction of that body<sup>8</sup> and of the Secretary of State, Camden, to a grant of 10,000 acres on which he could enlarge his experiments. In this way, the Camden estate was established<sup>9</sup> and, with the aid of fifty convicts, "the hero of the fleece," as Governor King called Macarthur, enlarged his plans.

4. Atkinson's "Agriculture in New South Wales" (1826), p. 73.

5. Incoming despatch of V.D.L. Company, enclosure to d. 2 (25/1/26); Onslow's "Macarthurs of Camden," p. 57; Macarthur's evidence before Bigge (MS., Mitchell Library, Sydney); "Sydney Mail," 12/6/07, 19/6/07; cp. Blosseville's *Histoire des colonies pénales de l'Angleterre dans l'Australie* (1831), p. 520; early entries in Parry's MSS. Journal.

6. At an average of £17 each. Burfitt's "Wool Industry in Australia" (1908), p. 37.

7. For details, see Onslow, pp. 64-97, and for an idea of the attitude at the time, Blosseville, p. 299.

8. "He will require no pecuniary aid, and all the encouragement he humbly solicits for, is the protection of Government, permission to occupy a sufficient track of unoccupied lands to feed his flocks, and the indulgence of selecting from amongst the convicts such men for shepherds as may from their previous occupations know something of the business." See Macarthur's statement before the Privy Council, 26/7/03, and report of Committee in Onslow, pp. 95-97; Historical Records of N.S.W., Vol. 5, p. 363.

9. King-Camden, 31/10/04; 30/7/05; Onslow, pp. 105-110, 376, 384-5. Macarthur did not get the second half of this grant until 1825. Cp. Historical Records of Australia, Series 1, Vol 5, pp. 161-2; Brisbane-Bathurst, 4/8/25; Bathurst-Brisbane, 31/7/23; Bathurst-Darling, 2/1/26.

The influence of the Macarthur merinos was felt until the early twenties when several other detachments of merinos began to arrive. These were the Saxon merinos,<sup>10</sup> different from the Spanish in that they had been bred for half a century for the finest silky fleece, with no attention to the weight of clip or to constitutional vigor. America had absorbed them in large numbers during the twenties and it was owing to a few capitalists and to the great chartered companies that they reached Australia. Alexander Riley led the way with his Silesians but the Australian Agricultural Company, the Van Diemen's Land Company and the South Australian Company all sent vessel after vessel of the purest Saxon merinos,<sup>11</sup> one of the great factors making for Australia's prosperity in the thirties.

The result was an extension of settlement. As early as the time of King<sup>12</sup> and Bligh, there had been a scarcity of pasture land and this had become more pronounced until the crossing of the mountains provided a way out of the difficulty. Stockholders were allowed to occupy lands for short spaces of time by obtaining "tickets of occupation."<sup>13</sup> But such permissions, given especially freely in Van Diemen's Land, were abolished in 1826 because they afforded so little control and because they were so vague. After that time, land could be occupied on the payment of an annual rental.<sup>14</sup> This stage was most important, not only because it provided an impetus to pastoral production, but because it saw within the boundaries of settlement exactly the same system which, when pushed beyond the boundaries, became known as "squatting."

10. Gardiner Papers (MSS. Mitchell Library, Sydney), Vol. 1, p. 42; Riley Papers (Mitchell Library), Vol. 2, pp. 261-2, 275. Riley was the pioneer, and produced the finest wool in the colony. So many Saxons were imported by him that 328 were sold in three years alone (1830-2). Gardiner was slightly later, introducing Saxon merinoes in 1831. They were preferred to Spanish, because of the finer wool and the better carcase. "Sydney Gazette," 19/12/25.

11. First Report of S.A. Company, p. 19—the finest Cliphhausen merinoes costing 100 louis-d'ors each; V.D.L. Company's Incoming despatch 1 (7/11/25); 18 (17/6/26); 28-29 (14/4/27); and *passim*; A. A. Coy's. Second Annual Report (1826), p. 52.

12. King-Hobart, 14/8/04.

13. Oxley's report of 26/1/26 in Darling-Bathurst, 22/7/26; Bathurst-Brisbane, 20/7/24. For details of occupancy law, see Callaghan's "Acts and Ordinances of the Governor and Council of N.S.W.," Vol. 1, pp. 361-4. Cp. attack in Bathurst-Brisbane, 3/3/26, enclosure.

14. £1 for 100 acres. See instructions of Colonial Land Board (20/3/26), and minutes of Executive Council (22/7/26). Cp. "Australian," 13/9/26, and "Monitor," 8/9/26, for attacks on change. Also Bathurst-Darling, 24/2/27; Dangar (1827), pp. 72, 81.

At this time, too, several other factors combined to cause an increase in stockbreeding.<sup>15</sup> Emigration had set in and there were the first considerable investments of English capital, especially after the "bubble year" of 1825. In Australia, this rage for speculation took the form of buying stock and, despite the immediate depression, ultimately proved beneficial.

There was a favorable market for pastoral produce, for English duties had become purely nominal (1824-5)<sup>16</sup> and Australian wools were gradually ousting all but the finest Saxon from supremacy. Wool which ten years before had been left outside stockyards to rot or which had been bought by the Government at the fixed rate of fourpence a pound<sup>17</sup> now brought from 3/6 to 4/- per pound. The wools of New South Wales were in particular demand for the soft fabrics known as Indianas and Merinos and it was everywhere recognised that Australian wools had a peculiar softness of texture, a length of staple and felting properties superior to those of other countries.<sup>18</sup> The result was that exports went up by leaps and bounds. In 1821, for example, New South Wales and Van Diemen's Land *together* were exporting only 175,000 pounds of wool; ten years later, *each* was sending away over a million and a quarter pounds.<sup>19</sup> German wools, except the very best, were falling back, while Spain, racked by political disorder, no longer counted. Australia was forging to the front<sup>20</sup> and efforts were being made to establish a direct trade intercourse in pastoral products between Australia and China, Australia

15. S. R. Nichols' "Notes on sheep and wool in New South Wales" (1787-1825) (MS. Mitchell Library, Sydney); N.S.W. "Agricultural Gazette," January, 1901, pp. 1-113 for details of first large shipment to England, 1821; Cp. Nichols, pp. 21-25.

16. Had been 6d. per pound in 1819, but the maximum became 1d. in 1825. See anon. pamphlet of 1829, "On the wool trade with considerations of the effect of a duty on importation" (102 pp.).

17. Curr's "An Account of the Colony of V.D.L." (1824), pp. 82-84.

18. Bischoff's "History of V.D.L." (1832), p. 49.

19. Australian Almanack, 1835, p. 146. Cp. fig. 19.

20. The wealth of pamphlet literature on the subject in these few years is the best testimony to the new situation, e.g., "British Wool Trade; abstracts of evidence taken before the Select Committee of the House of Lords" (1828), 69 pp.; fundamentally important, because the decline of English wool and the eclipse of America (Connor, pp. 106-9) afforded the chance to Australia. Cp. "Observations addressed to the wool-growers of Australia and V.D.L." (First Edition, 24 pp., 1830) (Second Edition, 44 pp., 1831) emphasising Australia's need of better packing, in view of her new importance on the market. For position at this time, compare "Murray's Austral-Asiatic Review" (1828), pp. 269 et seq., 497 et seq.; Stanhope's "Letters to the owners and occupiers of Sheep Farms" (1828); Bischoff's "Wool Question Considered" (1828, 112 pp.) For continuation of this position, see letters in Frew Papers (Mitchell Library, Sydney), esp. Adamson-Frew, 19/9/43; 25/11/43; 12/2/44; and circular of 31/12/38, esp. for American demand. See fig. 20, for triumph of Australian wool.



and America (1832) and, by means of differential duties, between Australia and France.

Every factor, within and without the colony, thus conduced to a vast expansion and nothing wanted when hundreds of miles of new and first-class lands were discovered. From the commencement of the twenties, then, there was an expansion in all directions,—west across the mountains, north towards Newcastle, and especially south, where Jervis Bay (1818) and the Monaro Plains (1823) had been discovered. By 1820 the flocks were half way to Bathurst, Hamilton Macarthur being furthest out, and, in three years, they had pushed across the Bathurst country and had reached the Murrumbidgee near Yass.

At this point the decisive factor entered, for here the administration said in effect,—“Settlement ends. The flocks must stop. These are the Nineteen Counties, the limit of settlement. Beyond this boundary is a forbidden land where Government influence does not run. No protection will be afforded to transgressors. And, if this will not suffice, you will be prosecuted.”<sup>21</sup>

The counties were marked out in October, 1829, and confirmed in 1835, but, before notices to this effect were posted up, the flocks were across the boundary. The lure of “new country” took men further and further, until all vestige of State control had ceased. It was due to the combination of these factors, therefore, that there emerged in the Australia of the thirties a unique and unauthorised occupation of large provinces,—“SQUATTING.”

## *II.—The Tracks of the Squatters.*

There had been a gradual evolution regarding the occupation of outside lands, from Macquarie’s isolated concessions to explorers<sup>22</sup> to the general “tickets of occupation” to anybody who wished to go to the interior. By the end of the twenties, there were three classes of graziers,—those who had a yearly licence within the boundaries, those who were illicitly occupying the same lands, and lastly those who had crossed the boundary and whose settlement was, if not illegal, at least outside the law.

21. “Government Gazette,” 22/5/35, 27/11/35; “Sydney Gazette,” 14/10/29.

22. E.g., Macquarie’s concession to Howe, 18/9/18, for his discoveries at St. Patrick’s Plains on the Hunter’s River.



It was clear by this time that settlement in Australia could not be confined within any boundary, either the Nineteen Counties of Darling or the "elastic band" of Wakefield.

And this was officially known, for, as early as 1828, Oxley, the Surveyor-General, reported that "even with the present small population, various selections have *already* been made beyond the prescribed limits."<sup>23</sup> From that time, the stockmen pushed down the coast, along the rivers, and in the track of the explorers. In consequence, there were 694 stations or squatters' holdings in 1839, dotted from the Gwydir to the South Australian border.<sup>24</sup> The legal boundaries still remained; the practical ones were forever expanding.

There were two main routes, north to the Hunter and south to the Murrumbidgee, movement in the thirties becoming most pronounced along the latter. The squatters in this direction penetrated to the furthest confines of Port Phillip and then the pastoral stream doubled on itself and saw the occupation of Queensland, while always there was a filling-in of the country only partially occupied by the first-comers.

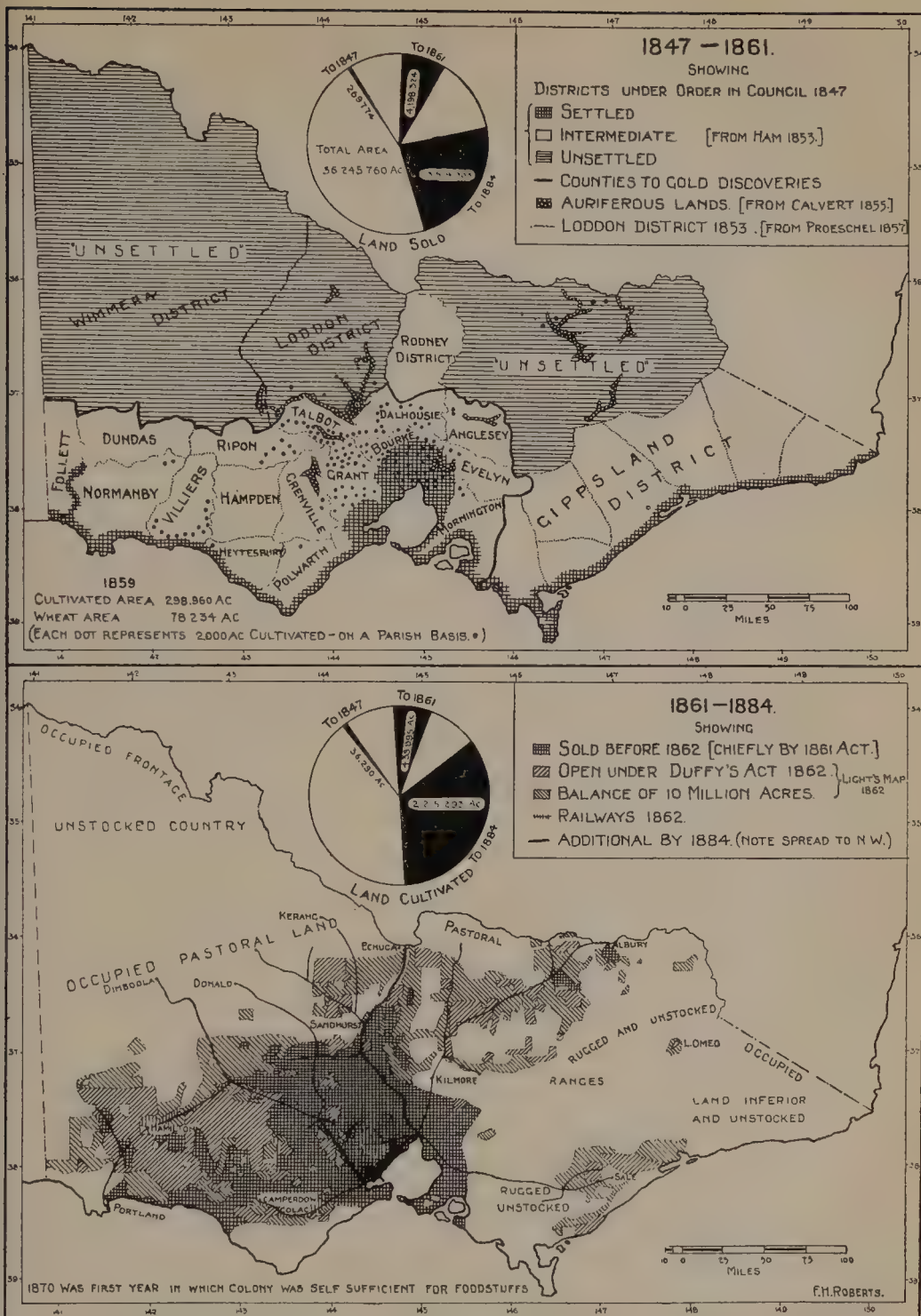
The country to the north of the restricted settlement of Cumberland had been first tapped when John Howe crossed the Hawkesbury into the unknown territory towards the Hunter and found grass in the lowlands "equal to the meadows in England." This was in 1819 and the line of the Hunter was at once occupied, 50,000 stock being scattered over the river-flats in five years. During the next decade, the spaces along the Goulburn River and towards Port Macquarie were lessened; but the masses of the Liverpool Ranges for long impeded settlement<sup>25</sup> and, even when the Australian Agricultural Company settled on the Peel in 1831, only a few cattlemen had reached that district. The first move north was essentially one to the Hunter and the less satisfactory Goulburn, with the *hinterland* in both cases.

The expansion south, however, was much more continuous. Here the Murrumbidgee was the nerve centre and the movement

23. Report of 13/5/28; cp. his report of 26/1/26; also Third Report of Committee of Colonial Inquiry on Receipts and Expenditure," p. 77.

24. Bourke-Glenelg, 10/10/35; "Australian Magazine," February, 1838, p. 135.

25. For occupation of this district in detail, see excellent series of articles in "Maitland Mercury," 1896-7, and the account of the Liverpool Plains, and the search for runs by Hamilton, in Journal of Royal Geographical Society (London), Vol. 13, 1843, p. 245. Also account by Dangar (1827), op. cit.



## VICTORIA 1847-1884.



commenced in the early twenties, when Hume and Broughton formed their station at Lake George (1821), the starting point for the south. It was only thirty miles from the Murrumbidgee and, within the next five years, the stockmen pressed over the intervening land in a fan-like fashion. As a result of this reconnoitring, there was a rapid wave of settlement down the Murrumbidgee in 1829-30, past Yass to Jugiong (where Henry O'Brien formed the first sheep station on the river) and even to Gundagai.<sup>26</sup> By 1830, there were from 12,000 to 15,000 sheep grazing on the river<sup>27</sup> and, within the next three years, all the frontage from Gundagai to below Wagga was split up among the stockholders. Here, around Wagga, settlement on the Murrumbidgee paused for a time and, in the early thirties, there was a more complete stocking of the country to the rear,—the Yass Plains, the Tumut country,<sup>28</sup> and the mountain pastures of the Monaro.<sup>29</sup>

At this juncture, when the streams of settlement, both to the south and the north, had temporarily ceased, came news of Mitchell's journey through "Australia Felix" to Portland and back to Sydney (March-October, 1836). To the stockmen who were finding the Murrumbidgee and Monaro too circumscribed, the reports of a "vast extent of open, grassy downs" and swelling hills all "thickly covered with rich verdure" opened visions of a promised land.<sup>30</sup>

For the next few years, therefore, it was Mitchell's track—the Major's Line<sup>31</sup>—which determined the direction of pastoral settlement, although a stream of settlement was already crossing from the south. As early as 1833, two of the Hentys had found

26. The best account of the occupation of this district is in a series of articles by Gormly in the "Wagga Wagga Express," 1915-1916, esp. 28/4/15 and 8/5/15; also in "Sydney Mail," 19/9/06, et seq. Cp. Garland's "Wagga Wagga" (1913), p. 11; Bayliss' "Early History of the Murrumbidgee," in "Wagga Wagga Express," 4/7/14-1/8/14.

27. "Sydney Gazette," quoted in "Yass Tribune," 14/10/20.

28. Gormly in "Wagga Wagga Express," 19/8/16.

29. Discovered by Currie and Ovens, 1829. See journal in Barron Field (1835), p. 363 et seq. Cp. fig. 24.

30. Mitchell's "Three Expeditions into the Interior of Eastern Australia" (1839), esp. Vol. 2, ch. 7-13. Cp. "Colonial Gazette," 22/12/38; "Hobart Town Almanack," 1837, pp. 126-35.

31. Note the importance of this line, which was a kind of internal boundary line for the province. It became a deeply furrowed track, and the regular road for overlanders. Five parties at least followed it before January, 1838. Runs were defined according to their relation to the line, e.g., a run of 1841 was thus described, "situated on the Major's Line, about 70 miles from Melbourne." In many places, especially in the eastern half, tracks were visible in the fifties, and the name was in actual use for over thirty years after then.



Portland Bay "well grassed and apparently well adapted for pastoral purposes" and, acting upon what they termed "a tacit commission" from the Colonial Office, occupied the country. Two years later sheep were driven inland to the Merino Downs station and by 1840 "all the country immediately around us was taken possession of."<sup>32</sup> At the same time, Wedge pushed west from the Werribee stations to the foot of the Grampians and Thompson, after founding Geelong in 1836, led the way north to the fringe of the Williamstown runs. In 1837, the Colac district was encroached on and by the end of the next year "the squatters spread rapidly over the Western District."<sup>33</sup> Those operating round Portland clashed with those moving west from Port Phillip with the result that, after Foster's 1842 venture on the Avoca and especially after 1844, there was a "general rush" to the scantily watered plains of the north, the Wimmera (1846)<sup>34</sup> and even the Mallee. The whole of the western half of Port Phillip was thus divided among the pastoralists who were operating from the south.

Even more rapid, however, had the squatters moved south from the Murrumbidgee. At the close of 1835, Wyse had crossed the Murray and, by the dawn of 1836, there were scattered stations from the Mitta Mitta to Mackillop's lonely post on the Omeo Plains.<sup>35</sup> In December of that year (1836), the first overland expedition reached "the few huts" of Melbourne<sup>36</sup> and at least three parties followed in the tracks of Hawdon, the first leader, before he had time to return.<sup>37</sup> This fact gives some idea of the pressing need for new pastures and of the eagerness with which the news of fresh districts was awaited.

From that time, there was an uncontrollable tentacle-like

32. "Letters from Victorian Pioneers" (1898), pp. 261-3. Cp. Fetherstonhaugh's "After Many Days" (1917), pp. 91-94.

33. "Letters," above, pp. 1-3, 5; C. S. Ross' "History of Settlement in the Western District," in *Victorian Historical Magazine*, Vol. 1, 1911, pp. 51-67; "Port Phillip Gazette," 30/3/39; 17/4/39; 2/2/39.

34. "Letters," pp. 185-191; 109; 157. This was "the new Country" of the forties. Cp. J. C. Hamilton's "Early Days in Western Victoria" (1913), pp. 37, 42. For the Mallee, see Kenyon in "Victorian Historical Magazine," September, 1914; June, 1915, esp. the maps. The "Quarterly Review," June, 1841, p. 119, proposed to stock this "new country" by means of a Company similar to the Australian Agricultural Company.

35. Andrews' "The first settlement of the Upper Murray" (1920), pp. 23-41, and article in "Victorian Historical Magazine," Vol. 5, Jan., 1916, p. 19 et seq. Cp. "Pioneering on the Lower Murray," in Vol. 1, 1911, pp. 27-28; Ross in Vol. 3, 1913, p. 70 et seq.; "Argus" (Melbourne), 22/7/05.

36. Account in "Letters," pp. 45-49, or "Hobart Town Courier," 24/2/37.

37. "Letters," pp. 241-3; 51-2; 182-3.

movement over the plains of Australia Felix. A series of ganglia struck out from the nerve centre of "the Major's Line" to meet the advance north from Portland and Port Phillip. In 1837, Ebden reached the Carlsruhe and Mollison the Coliban<sup>38</sup> while, from Clarke's outpost on the Goulburn (a pioneer establishment of February, 1837), runs were formed as far south as the present site of Seymour. By the midst of 1838, stations were creeping over the intervening country to the Campaspe where Mackay and Faithfull had been established for three months; next year came the turn of the Loddon and in 1840 the country as far west as the Pyrenees. Thus the pioneers had gone from river to river culling the desirable lands; then came the filling-in of the back country and, more slowly, the lands between Mount Tarrengower and the Murray (1840-5).

In the meantime, Dryden on Mount Macedon and Howey at Riddell in 1839 were "the first connecting the runs taken up by the Van Diemen's settlers,"<sup>39</sup> after which there remained only the curtailment of the original principalities and the occupation of the mountainous country of Gippsland and the East. Hobson and Jamieson had pushed through to Western Port (1839) from the west<sup>40</sup> but the difficulty of access to the district prevented occupation until Macmillan forced a way from the Monaro in 1840.<sup>41</sup> Within two years the plains between the mountains and the sea were taken up and by 1844, when the first cattle were driven overland from Gippsland to Melbourne,<sup>42</sup> there were 40 stations with over 20,000 cattle and 62,000 sheep.<sup>43</sup>

This completed the penetration of the country between

38. Mollison's MSS. (Victorian Historical Society), gives a full account of this period, by Mollison himself.

39. "Letters from Victorian Pioneers," pp. 20, 53-54; the primary source for the whole of this account. See fig. 25, for details.

40. "Letters," pp. 159-60; articles by A. W. Greig in Victorian Historical Magazine, Vol. 2, 1912, pp. 1-14; 49-59; cp. Daley, in July, 1919, Vol. 7, pp. 35-7.

41. Although Mackillop had discovered the Lake Omeo district in 1835, while pastoral lands had been taken at Buchan in 1839, and Hutton had reached Lakes Entrance in 1838. Greig, p. 4, footnote.

42. Haydon's "Five Years' Experience in Australia Felix" (1846), p. 121 (for account by one of the party).

43. Tyers' return in "Letters," pp. 193-204; cp. penetration from sea by the Gippsland (Port Albert) Company in Brodribb's "Recollections of an Australian Squatter" (1883). For account in 1842, see Raymond's letter to Latrobe in "Letters," p. 132; 7000 cattle, 35,000 sheep. See articles by Cox in "Yarram Standard," and "Gippsland Times," 1910—date.

the Murrumbidgee and the south coast and, within six years, three-quarters of the district which afterwards became Victoria was occupied through and through with sheep runs, until 1839 on no legal basis whatever.

But by this time the squatters of the central district were seeking new fields. From the Manning to the sea had been opened up and the end of the track south was in sight. What was to be the new direction? Since the saltbush lands of the Darling seemed to offer no advantage in going west, north alone remained and for over a decade the squatter's goal was "the north countree." First New England, then the Darling Downs and last the remotest parts of Northern Queensland were occupied.

For some time the stockmen had been hemmed in by the Liverpool Ranges, but the discovery of Pandora Pass by Cunningham in 1827 and the explorations of the Australian Agricultural Company's officers had opened the way to the north. Hence layer after layer of the New England district was covered by flocks. From the Hunter—"the nursery of sheep farming for the northern interior"—isolated pioneers had crossed the ranges as early as 1826 but not until 1832 did the passage of stock from the low-country estates to New England commence in earnest. Baldwin in 1826 was the first on the Liverpool Plains, Semple at Walcha in 1832 the pioneer of New England proper.<sup>44</sup> Others covered the back lines of communication between the range and the Macleay while the more enterprising, led by Cory, found a way over the Moonbi Mountains and formed the great northern line.<sup>45</sup>

Cory settled in the Salisbury Plains and three years later the country to Armidale was thickly studded with out-stations, this occupation of the lower ward—from Walcha to Armidale—being the first stage in the conquest of the real north. The next was to cross the new ranges and spread over the country as far north as Tenterfield (1835-1840). The MacDougalls and Campbell were the first to cross the source of the Namoi

44. The best account of the conquest of the north is by one of the partakers, in the Gardiner MSS. (Mitchell Library, Sydney), Vol. 1, pp. 1-37. Cp. article by Campbell in *Journal of Australian Historical Society*, 1922, Vol. 8, p. 225, et seq., esp. the map on pp. 258-9; cp. 289 et seq. Also McMaugh MSS. (Mitchell Library), for early settlement on the Macleay, p. 8, et seq.

45. Gardiner MSS., Vol. 1, p. 15.



(1835) and form a cattle station on the Guyra<sup>46</sup>; but, despite the prohibitive cost of transport and the menaces of the mountain natives, others pressed on. The Clarence Flats were occupied both from sea and land (1839), and the cattlemen followed McIntyre towards the Beardy Plains in the interior (1838-1840).<sup>47</sup> Importuned by friendly native guides, spurred on by rivalry of the next man, and seeking the promised land visited by Cunningham twelve years before, the squatters were more than 450 miles from Sydney and rapidly approaching Moreton Bay.<sup>48</sup>

Nearer and nearer they came to Cunningham's Darling Downs until, early in 1840, Patrick Leslie, unable to settle in the northern part of New England, undertook to work right through to them. At that time the furthest out-station was "on a branch of the Severn River, some 20 or 30 miles north of Beardy Plains" and from here, Leslie set out, crossed the Condamine and formed the first station on the Downs (March, 1840), claiming the principality "from the bottom of Toolburra to the head of the Condamine."<sup>49</sup> Though Campbell had previously set up a cattle run on the north bank of the Severn (January, 1840), the venture of the Leslies was the real opening of modern Queensland.

Their station of Canning Downs was at once surrounded by a ring of other posts—King on another of the Condamine affluents, Hodgson at Eton Vale, the Campbells, the Aberdeen Company and others.<sup>50</sup> Just as Beardy Plains had replaced southern New England as the base for the north, so now the country of the Leslies was the jumping-off place. Dennis went north and obtained the huge Jimbour run for his employer; the Darling Downs were thickly covered with flocks; pastoral settlement was rushing up the coastal side of the range and then, through Nonanga pass beyond the upper Brisbane<sup>51</sup> to

46. Gardiner MSS., Vol. 1, pp. 15-16; 18; a most lucid account. Cp. Hobler MSS. (Mitchell Library), entry for March, 1837.

47. "The Land of the Beardies" (1922), pp. 9-16; Gardiner MSS., Vol. 1, p. 37.

48. For the remarkable expansion of the north, see "Colonial Gazette," 22/9/41; "Australian," 27/4/41; "Sydney Gazette," 16/4/39.

49. See Journal in Russell's "Genesis of Queensland"; Gardiner MSS. (Mitchell Library), Vol. 1, pp. 45, 48; "Sydney Herald," 1/5/40.

50. Account by Sir A. Morgan, in "Queensland Geographical Journal," N.S., 1902, pp. 97-101; N. Bartley's "Australian Pioneers and Reminiscences," (1896), pp. 166-70.

51. Gardiner MSS., Vol. 1, pp. 75-79, 91.



the Burnett in the forties.<sup>52</sup> The Port Curtis country was opened from the sea as a result of Gladstone's "North Australia" settlement and soon the flocks were occupying the land between that port and the Burnett.

Still north went the stream, this time to the Fitzroy, the seven Norwegian Brothers, the Archers, leading the way from the Burnett. The country was immediately taken up on both banks of the new river and adventurers went further north yet in the track of Young. Here there was a bifurcation of the main stream. The one line stretched north to the Burdekin (1860)<sup>53</sup> and the far-flung Flinders (1861),<sup>54</sup> while the adventurous Jardine boys even extended it to the furthest extreme of Cape York Peninsula. The search for less restricted and more fattening pastures had thus led to the northern ocean. In the same years, the second stream had gone as far west as the Warrego and Maranoa. "Runs were taken up with astonishing rapidity in both directions," especially in the year 1864, which saw "the Hegira or flight of stock outwards to settle new country."<sup>55</sup> To the Gulf lands, to the head of the Flinders, to the Barcoo and even to Isis Downs in the remote interior, went the flocks and, although this movement partook of the nature of a boom, it marked the conquest of all of Queensland by the squatter.

There remained only the interior of New South Wales, the arid saltbush lands, the ever-grey country, which, although it lacked the appeal of the "North countree,"<sup>56</sup> was gradually occupied in the fifties. In the middle of the previous decade, the more remote parts of the Murrumbidgee—"then generally spoken of as the new country"<sup>57</sup>—were filled up and the plains

52. Fitzroy - Secretary of State, 23/8/47; "Brisbane Courier," 28/1/54 (new grazing district of Leichhardt); Fitzroy's despatch of 26/9/47, for discovery of Burnett and Boyne.

53. For move to Burdekin, see *Journal of Historical Society of Queensland*, Vol. 2, 1923, pp. 100-4 (account by E. Henry, a pioneer of 1860); Palmer's "Early Days in North Queensland" (1903), pp. 86-87; 110-114; cp. pp. 9-13 for a huge pastoral syndicate to exploit this region; "Brisbane Courier," 20/10/60, 26/1/61, 7/9/61. "Country has now been taken up as far as the latitude of Rockhampton Bay, and about 80 miles west from that Bay." See fig. 30.

54. Palmer's "Early Days in North Queensland," pp. 87-102; by the Burnett discovery "a fresh territory was added to the new colony." Cp. "Narrative of the overland expedition of the Messrs. Jardine" (1867), esp. the introduction; cp. Logan Jack's "Northmost Australia," Vol. 1, pp. 289-337. The account by Palmer is the best, and is by an actual participant in the events. Cp. Grant's "Early Station Life in Queensland" (MS., Mitchell Library); pp. 15-16; "Brisbane Courier," 18/5/61.

55. Palmer, pp. 119-122.

56. Fetherstonhaugh's "After many days" (1919), p. 193.

57. Gormly, in "Wagga Wagga Express," 5/2/16—son of a pioneer of '43.

of the Riverina taken. By 1844, both banks of the lower Murray were cut up and a newcomer could not possibly find an opening.<sup>58</sup> The squatters coming up the Murray and those forging through the dumosa scrub of the Victorian Mallee country met, and there remained only one empty region—the Darling. Here the pioneer was Hobler,<sup>59</sup> who occupied the land at the junction of the Lachlan and the Murrumbidgee (1845) at Paika—the first station in the far west. In the following year, despite the hostility of the blacks, reconnoitring expeditions forced a way to the Murray junction but found “no country worth occupying,”<sup>60</sup> the dumosa scrub spoiling everything. And beyond this was the desert where—

“With fiery emphasis

Hell hath stamped its awful mint-mark deep on everything that is.”

It seemed as if the boundary had been reached but stations were becoming “so scarce” that widely separated spots on the rivers were taken, extending by March 1846 round the bend to Euston. Through Mildura to beyond the Darling junction (1847) and then up that river itself went the squatters and, during 1850, sheep and cattle runs were formed up to Menindie.<sup>61</sup> The Lower Darling—a country whose immense distances dwarfed the ranges of the northern and eastern runs—was thus claimed, but progress was very halting until Cadell brought a steamer up the Murray to Canally. This, the turning point in the occupation of the West, gave a renewed impetus to the pastoralists of the Darling, for the dray-trip of 800 miles overland was now obviated, and pastoral properties doubled in value the day Cadell landed.<sup>62</sup> Hence, in the next twenty years, huge runs were carved out of the arid lands along the great waterways and the squatters completed the conquest of eastern Australia.

58. “Wagga Wagga Express,” 2/10/15; Gormly, in “Australasian,” 26/6/15; Fetherstonhaugh, pp. 311-315; Westgarth’s “Commercial, Statistical and General Report” (second half of 1845), p. 2.

59. Hobler MSS. (10 vols. Mitchell Library), esp. entries for 11/3/45 onwards. This is the most graphic account of the outside squatter’s difficulties.

60. Hobler MSS., 19/10/46; cp. reference in March, 1847, to shortage.

61. The best account of the occupation of this district is in N. Bartley’s “Australian Pioneers and Reminiscences,” pp. 21-3. Bartley took part in the first rush. Cp. Bean’s “Dreadnought of the Darling,” pp. 205, 261, the best account of the country. See fig. 24.

62. Bartley, pp. 29-30; account in Proc. of Royal Geographical Society of Australia, S.A. branch, Vol. 18, 1916-17, pp. 39-49. At that time, it was computed that there were 400,000 sheep on the Murray, 50,000 on the Darling, and one and a half million on the lands flowing into the Murray.

In the same years, bands of squatters had expanded north from the plains near Adelaide to the region of Mount Remarkable. But the stony deserts of the north turned the stream east and, in the forties, the stockmen of South Australia concentrated on linking up with the Port Phillip squatters. In 1838, overlanders came both through the Mallee tracts and through the Glenelg country near the coast;<sup>63</sup> and, six years later, the Mount Gambier and Rivoli districts were being occupied. Over a hundred thousand sheep poured there in three years and even the Murray country in Sturt and Eyre counties was taken up.<sup>64</sup> But it was to the gold discoveries in Victoria that South Australia really owed her pastoral greatness, for, in consequence of the diggers' demand, a hundred fresh stations were formed north of Mount Remarkable in one year (1853), the number of squatters increased 60 per cent.,<sup>65</sup> the area occupied quadrupled, and a new district, shipping at Port Augusta, opened. Here started the desert and, since it was not even salt-bush land, nothing could be done with it. Squatters in South Australia were hemmed in by the nature of the country.

Much the same story belongs to Western Australia, for, after the lands directly beyond the mountains were opened in the mid-thirties, the stockmen had to halt. Not till twenty years later were the pastoral lands of the Murchison (1854) and the Gascoyne (1858) discovered and, even in 1860, the colony had only 260,000 sheep.<sup>66</sup> A bonus was offered to every squatter who discovered a new run, and some pioneers even opened up the dry lands of Eucla, the extreme south-east.<sup>67</sup> In the sixties, there was a rush to the north, as in Queensland, but only the

63. "S.A. Gazette," 16/6/38; 9/1/38; "S.A. Almanack," 1840, p. 119 et seq.; Proc. of Royal Geographical Society, S.A. branch, Vol. 17, 1915-6, pp. 99-107. See fig. 22.

64. A good account is in ch. 12 of E. Lloyd's "Reminiscences of a Sojourn in S.A. by a Squatter" (1849); "S.A. News," 1/11/44, 1/7/45; "Southern Australian," 27/2/44, 29/3/44, 16/4/44; Dutton, pp. 87, 93-94; J. Allen's "S.A. as it is and how to get there" (1847), p. 7. At that time, the stations were as far north as Mt. Bryan, and on the other side, cattle had been driven as far south as 60 miles below Adelaide. For the growth of Rivoli Bay, see "South Australian," 18/5/49, and Talbot on "The early days of the S.E. district" in Royal Geographical Society, S.A., Vol. 21, 1919-20, p. 109.

65. Young-Grey, 12/10/54; J. P. Stow's "S.A." (1884), p. 156; Report of C. L. and E. C., 1854-55, p. 37; Finnis-Grey, 7/4/55; S.A. Votes and Proceedings, 1854, p. 213.

66. A. C. and F. T. Gregory's "Journals of Australian Explorations," p. 37 on.

67. The pioneer was Delissa. See his route on map of West Australia. Cp. W.A. Year Book, 1902-4, p. 76.

fringe of Western Australia was adapted for pastoral pursuits and not until 1880 was the Kimberley district stocked.

The great tracks of the squatters were thus to the south in the early thirties, then north beyond New England for two decades, and lastly in the filling of the land between the Lachlan and St. Vincent's Gulf. For the rest,—the few divisions of Western Australia and the cattle runs of the Northern Territory—long periods of development and gradual penetration by stock routes were needed. It was in the east that the spontaneous occupation occurred and that the squatters created novel problems for the Government. Individuals bound only by the camaraderie of the pioneer conquered a territory covering four States, made Australia known, developed the staple, gave the land its distinguishing attributes and largely shaped the course of its history. The tracks of the squatters, of the men who "rode for the Range's outward fall" and into "the Great Unknown," are in truth an epitome of the history of the land and singularly Australian.



## CHAPTER 14.—THE SQUATTER'S LIFE.

Since the squatters provided Australia's staple and since they were in many respects peculiar to Australia, certain questions naturally arise,—“What was the nature of this expansion? What kind of people were engaged in it? How did they live? How was a station managed? Who worked there?”

Take the case of an average squatter. Having some money and experience and having arranged for good stock—improved by the new Saxon merinos, if possible—the first thing to do was to obtain land; nobody thought of paying the Government 5/- or 12/- or £1 while millions of acres in the interior were not occupied. The squatter merely went further than the man before him. There was plenty of grass and “travelling was an honorable and recognised quantity in those Arcadian times.”<sup>1</sup>

But it was not always idyllic, for the runs usually followed the explorer's track or penetrated unknown territory, and, as one of the pioneers wrote, it was not easy “to traverse some hundreds of miles of rough, broken and unknown country and ride up to within a few hundred yards of a problematical gum tree supposed to have certain Roman numerals cut into it many years previously” by an explorer.<sup>2</sup> It was no light task to muster some thousand head of store cattle or sheep and strike off into the unknown with a bullock dray of rations. Yet such were the feats accomplished,<sup>3</sup> often in desert country and in face of native attacks. It was by no means uncommon to see the different colored smoke signals<sup>4</sup> on the horizon gathering the tribes; and such massacres as those of the Faithfulls on the Ovens (1838) or the Wills in the Comet country or the still more

1. Rolf Boldrewood's “Old Melbourne Memories” (1896), pp. 40-42.

2. Nisbet Papers (Mitchell Library), p. 32. Gregory found Mitchell's mark on Salvada Creek in this manner.

3. E.g., Victorian Historical Magazine, Vol. 4, p. 121. The first squatter of the Victorian mallee was a boy of 17, who started down the Murrumbidgee with a single blackfellow.

4. “Wagga Wagga Express,” 7/8/15 (Gormly); “Sydney Herald,” 21/5/38; “Benalla Standard,” 6/8/07; Nisbet Papers, pp. 38-43.

famous Frazers on Dawson River took place. Then one would read a notice, couched in these terms—

"The public of Queensland, more especially to the North, are invited to afford any information which may lead to a knowledge of the fate of Donald Cameron who, with a party of six, left Euralia, New England, in search of runs. Nothing has been heard of him since he left Rockhampton."<sup>5</sup>

But, assuming that the squatter found satisfactory land, what was the next step? If there was plenty of room, the squatter furthest out would point out his boundaries. "There you see the river," he will say, "that is my limit; on the other side you may establish yourself."<sup>6</sup> If, however, the country were fully occupied the matter was not so easy. When Tyson, for example, went to the Murray in 1844 and found all of the frontages either occupied or claimed, "a new man coming along in search of land at this stage was looked on by most of the squatters as worse than a highwayman, and he could seldom obtain information as to the boundaries of the runs, for most stockholders claimed all the land to the nearest neighbor." But Tyson forced a way in and commenced one of the boundary fights<sup>7</sup> which were forever taking place as the new settlers followed the discoverers.

The procedure was always in this order. Some few persons discovered good land; there was a rush and a consequent guerilla warfare until the Government appointed for the district a Commissioner of Crown Lands whose word was law and whose law was determined by no textbook or principle. "Good equity and good conscience" were the criteria and, if a Commissioner knew nothing of the one and was not troubled about the other, the system of adjudication was an uncertain one.<sup>8</sup>

There was, it is true, some vague notion of a right to run stock over all land within three miles of a home-station, but nobody knew whence it came and at best it was only a gentleman's agreement. Boundaries came to be marked by natural features, if possible, and in most cases artificially<sup>9</sup> by marked

5. "Brisbane Courier," 4/12/60.

6. H. de Castilla's *Les Squatters Australiens* (1860), pp. 30-31.

7. E.g., J. C. Hamilton's "Pioneering Days in Western Victoria," p. 20.

8. For difficulties of Commissioner's position, see Westgarth's "Victoria" (1850), p. 98; for vague ideas of duty and qualifications, see Donaldson Papers (MS. Mitchell Library), 2/7/51.

9. Hogan Papers (MS. Mitchell Library), 19/2/33.

trees or plough-furrows. But blazed trees could be destroyed and furrows altered, while the caprice of a Commissioner was always an uncertain factor. A typical run boundary, as sanctioned by the Commissioner, was defined thus:—"It followed Mr. Whyte's *ploughed line* as far as a *rock* described by Mr. Grant as situated about 350 yards from a *tea-tree spring* (should it not touch the rock to be drawn from the nearest point to it), then a straight *plough-furrow* to be drawn to the intersection of Mr. Henty's plough-furrow with a *creek or marsh*.'" <sup>10</sup>

With arbitrary boundaries of this nature, it is no wonder that range fights were a normal part of pastoral life, and the seizure of waterholes and the destruction of marked trees a common occurrence. The legal position was unprecedented, for it was decided in 1839 that a squatter's right of occupancy, even though he had not the slightest legal claim to his ground, was good against everyone but the Crown. The squatter could claim the protection of the law for himself, his run, and his boundaries. In the words of a Chief Justice, "he simply said, 'The Crown does not interfere with me and I had possession before you came in.'" <sup>11</sup>

But the average squatter cared little about legal technicalities, for he had his ground and, unless he were the discoverer, would come to some kind of an uncertain agreement with his neighbors.

Then commenced the actual establishment. The first thing was to build huts of sods or rough poles, with a thatch of grass or bark and a stone fire-place. Then the out-stations were chosen and the shepherds' huts erected, each being arranged for two shepherds and a hut-keeper as a rule. The shepherds set out in the morning and led the sheep to the feeding ground, each flock

10. Henty Papers (MS. Mitchell Library), letter of Henty to Commissioner of Crown Lands, Geelong, 5/6/49.

11. Mr. Chief Justice Stephen summed the matter up thus:—"A man passed into the interior and took possession of a tract of country, established his huts, sheep and shepherds in various directions, and the tract of country so occupied by himself and his establishment was said to be in his possession, and he could bring an action against any person who would intrude upon him. He was not bound to show his title." For the interesting legal situation, see

- (1) *Sprot v. Fyans*, 1845, "Port Phillip Herald," 19-26/8/45.
- (2) *Curlewis v. Campbell*, 1848. (Mr. Justice a'Beckett's definition of the squatting position, the basis of succeeding years).
- (3) *Bowerman v. Mackenzie*, 1850. ("Brisbane Courier," November, 1850), the Queensland counterpart of (2).
- (4) *Noel v. Moffat*, Brisbane, 1850. "Courier," June, 1850—the case of misrepresentation on the Maranoa.
- (5) *Coxen v. Peter and Bell*, 1860. "Brisbane Courier," November, 1860, showed the vagueness of the official position.



numbering from 400 to 1500 sheep according to the nature of the country, and the stations being spaced apart in proportion to the watering facilities. But the boundaries were not defined and there was continual trouble because shepherds encroached on their neighbor's flocks and because time had to be wasted in drafting them apart.

On an ordinary day, however, the sheep returned at night-fall and were yarded or folded. Until the thirties, there were yards of roughly-hewn logs but these came to be replaced by movable hurdles, so joined as to make a yard large enough to hold a hundred sheep. To protect the sheep at night, the shepherds slept in tiny sentry boxes in the yards, for "the wild dogs were as bold as hungry wolves." So the daily round went on, until each flock received two extra hands at lambing time and until out-shearing commenced.<sup>12</sup> The wool, when shorn, was packed loosely (even in the mid-thirties, to *screw* the bales into compactness was unforgiveable)<sup>13</sup> and sent to the coast in bullock drays. There were no sales in the colony and the produce was sent in the famous wool clippers to England where the sales were so controlled as to rob the squatter<sup>14</sup> of much of his goods.

Until the sixties, sheep stations were thus managed. If, however, the run were in a horse or cattle country, the procedure was different and, as in the case of sheep, varied greatly from modern practice. The runs were unfenced and there was "an open range" with its attendant difficulties and romance.

At first, there was no mustering of horses or cattle and, in many cases, the calves were not even branded; while a general muster amongst *all* the stockmen in a certain neighborhood was unheard of. Straying cattle were slaughtered or, in places where the dry nature of the country made it necessary to send the stock in summer to the rivers, passed on from station to station.<sup>15</sup> But with the increase of settlement such methods

12. This account is chiefly from Gardiner Papers (MSS. Mitchell Library), Vol. 1, p. 72; Wright's MS.; Hogan Papers, 18/1/33 (both in Mitchell Library); J. P. Townsend's "Rambles and Observations in N.S.W." (1849); anon. "Three Years' Experience of a Settler in N.S.W." (1838); Hamilton's "Pioneering Days in Western Victoria," p. 47, et seq.; Curr's "An Account of the Colony of V.D.L." (1825), for earlier conditions.

13. Until 1877-8, the sheep were washed beforehand in a river. Fetherstonhaugh's "After many days," p. 315; Parry's MSS. Journal, 18/11/30, 12/11/32; "Australian Almanack," 1835, pp. 149-50.

14. Riley Papers (MS. Mitchell Library), Vol. 2, pp. 287, 291, for Riley's experience. Cp. the struggle in Brodribb's "Australian Squatter," p. 181, et seq.

15. R. D. Barton's "Reminiscences of an Australian Pioneer," pp. 261-2.



became anomalous and provided too great an opening to cattle stealers ("duffers"). Moreover, the wild mobs of horses and cattle were becoming too numerous.<sup>16</sup>

Therefore, the practice of having a general muster arose in the late forties and fifties,<sup>17</sup> all of the stockmen perhaps for a hundred miles round gathering and drafting the stock. At the same time there came to be round-ups on each run to pick out drafts for market or to brand "clear-skins." Naturally such conditions caused cattle stealing, especially in the wilder regions like north-east Victoria.

Here, too, and in the Barwon country, mustering wild stock was common. It was no small matter, no picturesque incident of pastoral life, for the country, especially in the late forties, "swarmed with wild cattle and horses." All over Southern Queensland and Northern New South Wales—"within the range"—they roamed; and to "muster the wilds" in the mountain gorges was a profitable and exceedingly dangerous undertaking.<sup>18</sup> After the rise in prices following the gold discoveries, however, it became a normal part of the squatting life, musterers using tame decoys to stampede the cattle or horses down the mountain spurs and along the creeks to a high stockyard, where they were drafted and branded.

"'Twas merry 'mid the blackwoods, when we spied the station roof,  
To wheel the wild scrub cattle at the yard,  
With a running fire of stockwhips and a fiery run of hoofs."

Then, as part of the ordinary routine, there were the blacks, floods, fires, droughts, accidents,<sup>19</sup> all combining to give the pastoral life its most distinctive aspect, its uncertainty. It might be droughts or floods, long-continued low prices, or financial panic, new land laws or many other things, but, "unless they had reserve capital as well as a large reserve of energy and ability the squatters usually went out from the inland as broken men."<sup>20</sup>

16. Grant Papers (Mitchell Library, Sydney), pp. 48-49.

17. Gormly, in "Wagga Wagga Express," 9/12/16; Campbell, in *Journal of Australian Historical Society*, 1920, Vol. 6, p. 265. The best account is in the Wright MS. (Mitchell Library), "Seventy-two Years in Australia."

18. Wright MS., p. 14.

19. See MS. diary by Mrs. MacMaugh of the Macleay, pp. 7-23, for the succession of drought ("wild apple and oak trees had constantly to be chopped down for food"), fire, flood, blacks. Cp. *Victorian Historical Magazine*, Vol. 3, 1913, p. 60.

20. Nisbet Papers (MSS. Mitchell Library), p. 184; Lloyd Papers, Vol. 2, p. 53.

There were the most perplexing changes. For example, Tyson, when he first went to the Lachlan in 1845, had only a small herd of calves; a few years later he sold a station for £12; fourteen years later, John Peter of the Murrumbidgee casually offered him a million pounds worth of stations on his own terms.<sup>21</sup> But this was exceptional and, if the thirties made most squatters, the forties ruined them. Seasons were so bad and the price of wool so low that sheep merely died, until it was found that, by "boiling down," a few shillings could be obtained for the tallow. Yet even this "great safety valve"<sup>22</sup> was of no avail when the price of tallow fell and, in 1843, fat sheep were down to a few pence, with the station for nothing. A run was sold for a pound of tobacco and two gallons of rum; and the bad conditions lasted until the digging days. "The whole community seems horror-struck,"<sup>23</sup> wrote a western pioneer in June, 1843, and everyone hummed the refrain about the bailiff who took the squatter's sheep—

"He took them and sold them; I am sure 'twas a sin,  
At sixpence a head, and the station given in."

Then came the gold rushes with an equally tantalising uncertainty<sup>24</sup> for, though prices had never been so high and though they lasted until the seventies, there had never been so many floods and fires.

Since the squatter's life was so difficult and uncertain, one naturally asks: "What kind of men could stand against these things?"

The old notion of the thirties that the squatters were border convicts was soon dissipated and, as early as 1836, Bourke wrote that <sup>25</sup> "not more than 20 to 30 Ticket-of-Leave holders occupy

21. It was Tyson who bought 20,000 sheep on one side of the Murray for 6/- each, and sold them on the Bendigo goldfields within 10 days at a profit of £22,000.

22. Discovered by O'Brien, of Yass. "Sydney Herald," 22/5/43, said that Hamilton, of Sydney, was the first. See Gardiner Papers (MSS., Mitchell Library), pp. 231-244; "Southern Australian," 11/7/43 ("a new staple"); "Westgarth's "Statistical and General Account" (1845), p. 9; "Atlas," 26/4/45, "discovering riches in the tallow vat" (31/4/45):—

"Sair, sair was my heart when I slaughtered a' my sheep;  
I sat beside the boiling pots and bitterly did weep:  
For the taxes were sae high, and the profits were sae sma',  
That they gar'd me melt 'em down into candles a'."

23. Hobler MSS., 12/6/43, 3/4/43; Mitchell's evidence before 1841 Committee of Council on Immigration; Greig's "Farm Day Book" (MS., Mitchell Library), 1/11/40; Votes and P., N.S.W., 1841, pp. 402, 431.

24. Lloyd Papers, Vol. 2, pp. 53-55; Howitt's "Land, Labor, and Gold," Vol. 1, p. 166.

25. Bourke-Glenelg, 14/9/36; cp. Collection of despatches in Votes and Proc., N.S.W., 1844, Vol. 1, p. 598.

Crown lands throughout the whole colony." On the other hand, it soon became known that the majority of squatters were of a fine type, and in particular that their ranks included many University men and army officers.<sup>26</sup> In any typical group of squatters this was found. For example, the pioneers of Moreton Bay<sup>27</sup> included the Leslies, enterprising Aberdonians; Russell, an explorer and an author with a singular charm; Dalrymple, "man of polish and exploring feats"; "a crassly conservative Etonian"; and the young aristocrats who foregathered with Hodgson of Eton Vale. On the other hand, of course, there were men like Rogers, a hard-working part-owner, and Campbell, an ex-innkeeper, with others of their type.

So too in Western Victoria the first squatters included Curdie the botanist, Mitchell noted far and wide for his library, Irvine of an old Deeside family and Learmonth of the Barwon, the very type of a squatting gentleman.<sup>28</sup>

But, though there were men of all types and professions,<sup>29</sup> they looked alike. "Every settler," wrote an observer in 1838, "gentle or semple, wears fustian";<sup>30</sup> and, in the forties, the marks of a squatter were the blue serge shirt and trousers, the cabbage-tree hat and, above all, the flighty horse.

If the ranks of the squatters were thus varied, so too were those of their servants. At first, the employees were convicts but, from about the close of the thirties, freemen in many cases replaced bond shepherds and stockmen and, in the time of the labor shortage throughout the next decade, even Indians and Chinese and Kanakas were brought in.

The convict shepherd was in great demand and squatters

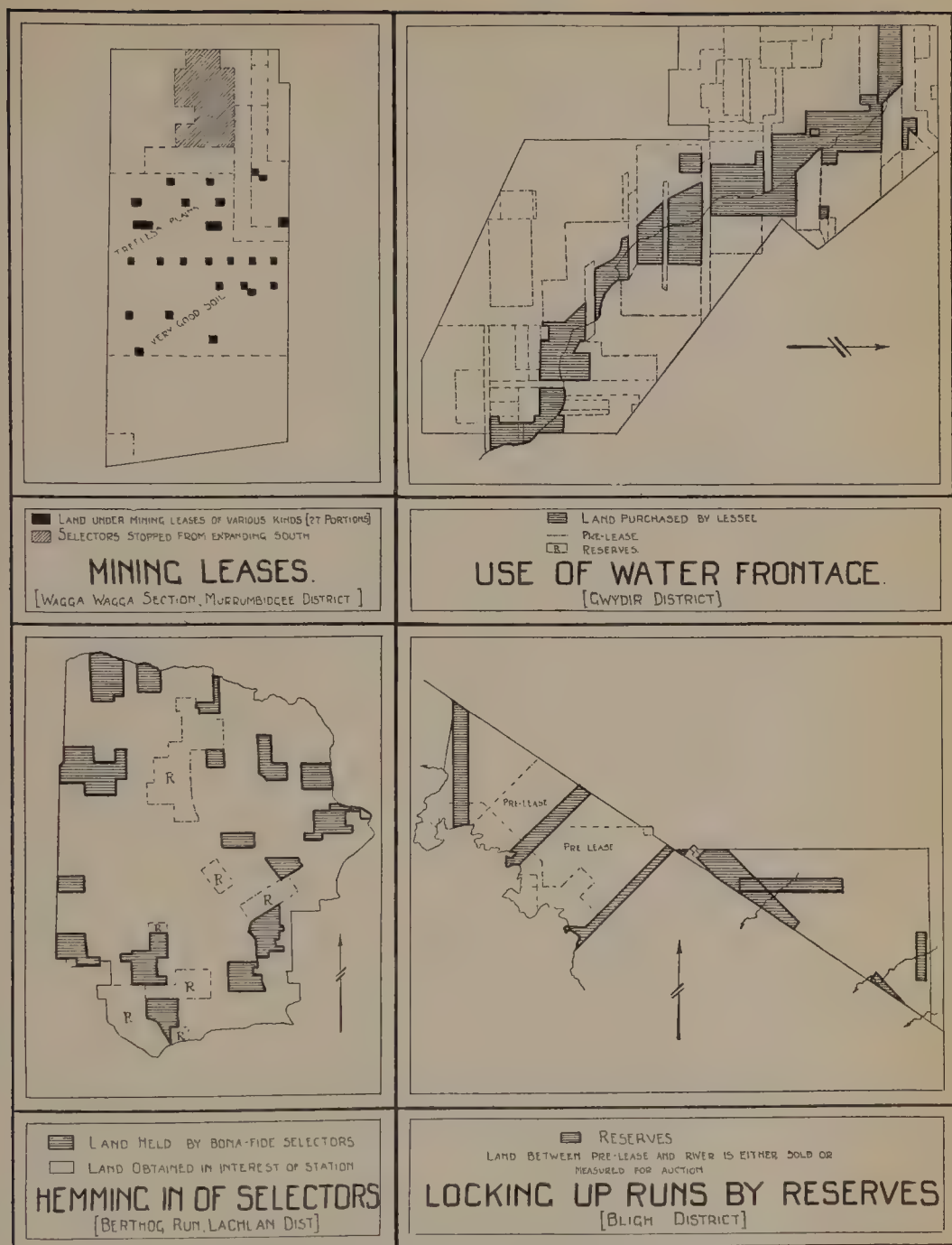
26. Nisbet Papers (MS., Mitchell Library), p. 161.

27. Account in Russell's "Genesis of Queensland," *passim*.

28. Victorian Historical Magazine, Vol. 1, 1911, pp. 60-8, article by Ross. Cp. Hamilton, p. 29.

29. The predominance of the military, especially in the thirties, was very noticeable, fully half of the squatters in that decade being soldiers. It was in this way that the regulations (1826 on) for inducements to military settlers bore fruit, and to this element must be attributed much of the 'morale' of the squatting days. For instances, see Fetherstonhaugh, pp. 15-16, 70; Victorian Historical Magazine, Vol. 2, p. 115; Grant Papers, p. 36; H. de Castella's *Les Squatters Australiens*, pp. 5-12, and lists of lessees in Votes and Proc., in 40's, *passim*. Noticeable, too, was the presence of so many Scotchmen, leading a recent writer to declare that "the great majority" came from the north of the Tweed. For example, in the West of Victoria, the best known names included the two MacLeods from Skye, the Hope Brothers at Lake Wallace, Ballantyne of Newlands, Urquhart of Maryvale, the three Robertsons of the Coleraine district, William Wallace of Elderslie, "Black" Cameron of Lochiel, and "the Macgregor." So too in Gippsland, the Monaro, Moreton Bay.

30. "Three Years Experience of a Settler in N.S.W." (1838); Curr's "Squatting in Victoria," pp. 7-8.



THE OPERATION OF FREE SELECTION (1)

Figs. 33-36.

See Appendix 3.





from the Macleay to the Grampians spoke of them as "faithful, efficient and very companionable."<sup>31</sup> London pickpockets were especially desired,<sup>32</sup> but there were difficulties because of the distance from a magistrate<sup>33</sup> and, especially in Van Diemen's Land, because the laborers were often unsuitable. When a settler was promised "useful stockmen" and was sent "a whip finisher" and "a Birmingham pot boy"<sup>34</sup> the result was scarcely satisfactory.

There was a turn, therefore, to the more dependable free person who, in the thirties and forties, usually received 10/6 a week and rations worth 6/6. The shepherd was usually a dull-witted morose person,<sup>35</sup> the stockman smart and alert.<sup>36</sup>

Such was the squatting life<sup>37</sup> up to the sixties, after which the influx of population, the growth of free selection, and the competition of the American West and the Argentine made vast changes inevitable. The changes completely revolutionised the pastoral industry; the easy methods of the unfenced run belonged to the past; the shepherd's day was over; fences and boundary riders constituted the new order. Pastoral life, in a word, became more capitalised and, all through the seventies, improvement of runs and wholesale purchase of freehold, especially in the Riverina, were proceeding apace. The runs were forced to the "outside" country, to the desert of New South Wales and the saltbush of the interior. The very stock changed and the crossbred came. The romance was going, for the fenced runs with their dams and bores lacked the appeal of the old open range with its musters and boundary struggles, and the squatters were becoming "pastoralists," even the name

31. See chap. 9, above.

32. "As it suits their naturally idle habits, and the industrious laborer cannot endure the very wearisome and lazy employment of looking after sheep."

33. "Australian Magazine," February, 1838, p. 135; Hobler Papers (MSS.), 24-5/2/28, 24/8/29, 22/10/29, 12/11/29; Hogan Papers (MSS.), 12/2/32.

34. Hobler Papers (MSS.), 24/8/29.

35. Grant Papers (MSS.), p. 70.

36. Mrs. Campbell Praed's "My Australian Girlhood" (1904), p. 107; Grant Papers, p. 40.

37. The best accounts of average stations are

- (a) Before the great expansion of the thirties, Riley Papers (MS., Mitchell Library), Vol. 2, pp. 213-7; Suttor's MS. Diary (1831-40); and especially the Hogan Papers (1830-4), for a station on the Goulburn Plains, i.e., just within the limits of location. The Papers comprise the letters between the owner in Sydney and the manager.
- (b) After the expansion. Grant Papers (Mitchell Library), or H. de Castella's *Les Squatters Australiens*, esp. pp. 57-61, for details of Yering, one of the earliest stations near Melbourne.

reflecting changed conditions. But not all the changes could eradicate the glamor and the hardship, the riding and the dust, and it still thrilled to read

“How they’re shearing on Belalie,  
Or the Cuttaburra’s dry,  
How the border’s red with ruin  
From the rabbits and the drought,  
How the floods have filled the Tuen,  
From the big rains further out.”

—A. B. Paterson.

## CHAPTER 15.—THE SQUATTERS AND THE GOVERNMENT.

The term "squatter" reached Australia from America but soon acquired a very distinct connotation. In America the squatter was a poor man who without any claim sat down on a small farm—a homesteader.<sup>1</sup> The word was first used in Van Diemen's Land because of the peculiar characteristics of that island. There, everybody was *both* a farmer and a grazier and, as such settlement pushed to the central mountains in the twenties, there emerged a class of what might be termed frontiersmen—"bushrangers" or ex-convicts or shingle-splitters or small cultivators who gathered flocks both by legal and illegal means. These people were known as "squatters" even in the twenties and their holdings were termed "runs." An order of February, 1828, against "the practice of *Squatting*, as it is denominated in the colony," said that "the huts of these people (some pursuing ostensibly the occupation of surveyors or splitters) have been the constant resort of runaway convicts and others whose characters are of the most vicious stamp, and the area of their *Sheep Runs* has formed a most convenient depot for stolen sheep."<sup>2</sup>

The next extensive use of the word was when it crossed to New South Wales, where persons who grazed stock within the boundaries without troubling to obtain a license or those who *could* not obtain a license because they were beyond the boundaries were termed "squatters." As such they were known in the official correspondence even in the very early thirties. For instance, in the correspondence of the Australian Agricultural Company with the English Government about the Liverpool Plains, the terms "squatter" and "runs" were frequently used.

1. See Christmann's *Australien*, pp. 295-6, for the clearest distinction between the American and Australian squatter. Cp. definitions in New England Dictionary, but note that the earliest examples there quoted are 1835, while the above proves that the term was in common use ten years before that time in Australia.

2. MS. order in Chief Secretary's Office, Hobart. Enclosed in Arthur's despatch of 3/6/28. The remedy was to let the land to "the more Respectable Settlers," on condition that they kept off the rest, the first solution offered for the squatting question. "Hobart Town Gazette," 15/3/28.



So too at the conference on land policy at Sydney in 1831, there was a prolonged argument about these "squatters," the remarkable feature being that Governor Bourke and Surveyor-General Mitchell held that *mere occupation* conferred some right on the squatter.<sup>3</sup> And these squatters of 1831, it must be noted, were not only convicts, for the group in question included men of family like John Blaxland, William Lawson, the two Loders, and Dangar.

But, in the middle thirties, when the colony was racked with struggles about the ex-convicts, the term "squatter" became more one of reproach. Macarthur, for example, defined them as "mostly convicts holding tickets of leave or having become free by servitude,"<sup>4</sup> quite neglectful of the fact that for years Hannibal Macarthur was the southernmost squatter. But even then a change was coming and when younger sons from England, merchants from Sydney, demobilised army officers and colonial youths urged by the spirit of adventure all entered the field,<sup>5</sup> a squatter became neither a rascally convict nor a social outcast but merely an unauthorised occupant, irrespective of social status (1835 on).

This was inevitable, for, even in 1834, Bourke had found "the greater part of the vast tract of fertile land lying between the County of St. Vincent and Twofold Bay depastured by flocks and herds."<sup>6</sup> The industry—for so it was by this time—was becoming capitalised and the Government was forced to intervene. Its order that settlement should be confined within the "Nineteen Counties" or "boundaries of location" had proved unavailing. Facts had to be looked in the face and it is to the credit of the Governors, Bourke and Gipps, that they perceived these facts and forced them on the understanding of the English statesmen. The problem itself was not new but simply an old difficulty cropping up in a greatly enlarged form. The need for pasturage was as old as the colony itself, and the question at issue was whether the already existing system of yearly

3. See chap. 6 (1), above.

4. Macarthur (1837), pp. 48-49; J. Mudie's "Felonry of New South Wales" (1837), p. 261; "Sydney Gazette," 28/4/35 (squattling will sweep the colony into "the vortex of crime and depravity"); "Colonial Gazette," 16/10/39.

5. For incentive, see Améro's *Les Squatters dans l'Australie Nouvelle*, p. 77; Brodribb's "Australian Squatter," p. 7.

6. Bourke-Glenelg, 10/10/35. "I cannot avoid perceiving the peculiarities which in this Colony render it impolitic and even impossible to restrain dispersion within limits that would be expedient elsewhere."

licenses,<sup>7</sup> framed to meet that need, should be extended to the lands beyond the boundaries.

Yet it was not quite as simple as this, because the Government would not readily acquiesce in such a flouting of its mandates, and moreover, the dominant colonial theory at home stressed concentration of settlement at all costs. To the Colonial Office the squatters represented a "triumph of popular feelings over Positive Law," a "systematic violation of the Law," a "growing evil" which should be "condemned and opposed."<sup>8</sup>

Bourke, therefore, had a long fight<sup>9</sup> to convince his superiors that the Government could not, even if it wished, prevent this dispersion. "Not all the armies of England—not a hundred thousand soldiers scattered through the bush—could drive back our herds within the limits of our Nineteen Counties."<sup>10</sup> But Glenelg was more prone to believe Wakefield's assertions that similar evils had been repressed in other countries and that squatting in New South Wales was no more serious than squatting in Wales.<sup>11</sup>

Bourke's attitude was as clear as it was statesmanlike. The squatters could not be restrained and, even if they could, to do so would be "a perverse rejection of the bounty of Providence." The question was, "How may this Government turn to the best advantage a state of things which it cannot wholly interdict?" The Governor's solution was to extend the licence system from the lands within the Nineteen Counties to the new lands beyond. This would clear the issue, for, while the Government could not prevent occupation, it might at least be in a position to prevent *unauthorised* occupation.

Hence, in 1836, the Legislative Council passed the first

7. See ch. 13 (1), above; "N.S.W. Government Gazette," 1/8/32, for procedure re leases; Goderich-Arthur, 14/2/31. For early shortage, see MS. "Sketch of Agriculture in N.S.W.," 15/12/19, in Agricultural Papers (Mitchell Library), p. 1 et seq. Even then the alternative was "to seek Food in the interior or to adopt a System of Improvement."

8. Stephen-Colonisation Commissioners, 27/10/36, in Glenelg-Franklin, 15/2/37, an important statement.

9. For a good estimate of Bourke, important in regard to the stand he took, see "Colonist" (opposition weekly), 23/11/37.

10. "S.A. Register," 15/2/42; article by Barrow in "Quarterly Review," 1841.

11. Bourke-Glenelg, 10/10/36; 18/12/35. "The most desirable plan appears to be, to let or license the land at a small rent. But it cannot be disguised, that to attempt enforcing any system against the general will would be no less a hopeless than an ungracious task." Cp. Gipps' despatch of 28/9/40.

Act to legalise and regulate squatting.<sup>12</sup> Within the boundaries, the system continued as before, save that punitive sanctions were introduced; outside, the territory was divided into districts, over each being a Government official known as the Commissioner of Crown Lands. His duties were to safeguard the Government's interests and to prosecute intruders. Each squatter was allowed to occupy as much land as he could obtain for a yearly payment of £10, the amount being the same if the stockman had one acre or ten thousand. The Act went no further and even the Commissioners were an afterthought. The sole object was to allow stockmen to occupy Crown lands without breaking the law; and this the Act accomplished.

However, it was merely a tentative step, for the powers of the Commissioner were not defined and it was evident that one man could not enforce the law three hundred miles away from a magistrate.<sup>13</sup> In the meantime the squatters were swarming further and further and it became imperative to have some agency to preserve order. A Committee of the Council therefore reported in favor of a special constabulary—the Border Police—whose expenses were to be defrayed by a tax or assessment on all stock.<sup>14</sup> Since this meant that the squatter was taxed in proportion to the number of animals, it was a fair levy and did something to alleviate the inequitable incidence of the old £10 fee. The recommendation quickly became law at a special session of the Council in March, 1839,<sup>15</sup> after which date the squatter had to pay both a fixed licence fee and a tax varying with his stock. In return he received protection and the superintendence of the Commissioners who were no longer mere figureheads.

Under these conditions, squatting flourished. Eight

12. 7 William IV., No. 41. Bourke-Glenelg, 14/9/36. Bourke insisted on the appointment of Government commissioners because the Council showed a tendency to penalise the poorer settlers. The Commissioners were added for the explicit purpose of preventing "the oppressive enforcement of the Law against the Poor." The Bill is in full in Votes and Proc., 1844, Vol. 2, pp. 7-8, esp. Section 2.

13. "Sydney Gazette," 25/11/37.

14. Russell's "Genesis of Queensland," pp. 73-5; Report of Committee, 5/3/39; Act in Votes and Proc., 1844, Vol. 2, pp. 11-17; "Government Gazette," 21/5/39, 14/9/40. For public attitude, see "Port Phillip Gazette," 13/4/39, 17/4/39.

15. Shortly before, Bills to restrain occupation had been declared *ultra vires*. Cp. Gipps-Glenelg, 7/11/38, re 2 Vict., No. 19, passed by the Council, 2/10/37, and opposed by Justices Burton and Willis (pp. 600-1, Votes and Proc., 1844, Vol. 1). Gipps opposed their interpretation and was upheld by Normanby (d. of 17/5/39) and by the law officers of the Crown (d. of 29/6/39). Cp. correspondence in Normanby-Franklin, 29/6/39.



squatting districts were at once proclaimed (May, 1839), stretching from the New England ranges south to the sea and, by 1840,<sup>16</sup> there were 718 stations with a population of 7800, a million and a quarter sheep, and paying £5216 assessment. And, as the squatters penetrated further, new districts were added and old ones subdivided. For example, in Port Phillip, there was first one district (1839), then two (1840), then four (1843) and lastly five.

But the squatters demanded more rights, for, under the law as it then stood, they had no security of tenure. They had no rights in any improvements, no land which they could purchase, no claim at all in the property rights which they were building up. To remedy this, they demanded three things—compensation for improvements, security of tenure, and a pre-emptive right. In the early forties, these three points provided the leading political issue and thrust the colonies into “an indescribable ferment.”<sup>17</sup> They led to a degree of political organisation hitherto unknown in Australia and caused a campaign which extended from Calcutta to Canada, from Sydney to the remotest coffee-house in the Scottish Highlands.

Perhaps the deciding factor was the position and personality of the Governor, Sir George Gipps. Confronted by an issue such as none of his predecessors had to solve, Gipps formulated a policy which did justice both to the squatters and the Government, and carried out that policy in the face of opposition at home and against the whole body of colonists. Once convinced that his policy was based on the needs of the situation, he stood inflexible, and it was fortunate that a strong man was at the helm when the Home Government could not understand the situation and when the colonists were in a mood for extreme action.

At the basis of his policy was the idea that the squatters not only had to be tolerated but were a positive benefit. “As well might it be attempted to confine the Arabs of the desert within a circle drawn on the sands, as to confine the graziers or wool-growers of New South Wales within any bounds that can possibly be assigned to them; and as certainly as the Arabs

16. 1840 Emigration Committee of N.S.W. Council, p. 40. See fig. 23.

17. “Morning Chronicle” (London), 14/9/44.



would be starved so also would the flocks and herds of New South Wales, if they were so confined, and *the prosperity of the colony would be at an end.*" To allow the squatters to use the Crown lands was therefore wise; but beyond that Gipps would not go.<sup>18</sup> The squatters obtained the use of huge areas at ridiculously low rentals; they had the continuous profit; what right for permanent ownership could they show?

Gipps thus had a midway policy, favoring the squatters in allowing "the occupation of the land on the easiest terms," opposing them as regards further rights. So too with the Colonial Office. Gipps joined the Secretary of State in opposing a reduced upset price but stood against both Lord John Russell and Stanley when they wanted to exact a higher licence fee from the squatter.<sup>19</sup> His policy was farsighted and just and reconciled the need of the future with fairness to the pioneer.

He started out by demonstrating the unfairness of the existing system under which some squatters depastured a thousand times as much stock as others for the same fee.<sup>20</sup> This unfairness was accentuated by the fact that a squatter could hold runs in different districts under the same licence, one licensee on the Darling holding up to thirty runs in this manner.

To find a way out of these inequalities, Gipps consulted the Commissioners of each district (1843) but no uniform reply was received.<sup>21</sup> Some favored an assessment with a free run, others a run in proportion to the number of stock, still

18. Gipps' memo. on policies, 1831-40, in despatch to Russell, 19/12/40. It was said at the time by a shrewd observer that Gipps was the greatest friend the squatters ever had, and the truth of this was realised by the great change towards him after his departure. "Australian," 12/9/42.

19. For the various attitudes, see Gipps' despatch of 17/1/44; Russell-Gipps, 20/6/41; Votes and Proc., 1843, p. 711 (Stanley); and correspondence in N.S.W. Votes and Proc., 1842, Vol. 14. The clash of opinions was evident in the first fight over pre-emption (1841-2). Latrobe, of Port Phillip, half-heartedly refused the squatters' claims for pre-emption and compensation for improvements (9/2/41); Gipps dogmatically (24/2/42); the Colonial Land and Emigration Commissioners wanted the first while rejecting the second (Report to Secretary of State, 6/8/41); the Secretary of State refused both and wanted further impositions. Cp. Gipps-Russell, 24/2/41.

20. See papers re depasturing regulations in Votes and Proc., N.S.W., 1844, Vol. 1. One squatter in New England held 64,000 acres on one license, another 1200. The 56 largest had an average of 138,404 acres, the 56 smallest 43,346. Detailed statistics in this connection are in the above return and are most important as a commentary on the squatting situation in its heyday. Cp. Westgarth's "Statistical Account," 1845, p. 3.

21. Gipps' circular to Commissioners, 12/12/43, in Votes and Proc., 1844, Vol. 1, p. 665. The replies are in pp. 647-663.

others a mileage rate irrespective of the number of stock. The great majority, however, were in favor of having a separate licence for each run; and twelve out of fifteen thought that "a kind of right to purchase part of his run"<sup>22</sup> should be conceded to the squatter. Gipps took into account, too, the faults of the system from the squatter's point of view, especially the vague and oppressive powers of the Commissioner.<sup>23</sup>

In view of these facts, therefore, the Governor, aided by the Executive Council, drew up a code of regulations, dated April 2, 1844. These, the *occupation* regulations of April 2nd, should not be confused with the vitally different *sales* laws of the next day.<sup>24</sup> They were very simple, aiming at the maintenance of the existing system with checks on its abuse. Each licence was to cover only one run, and no run was to exceed 20 square miles or to carry more than 4000 sheep. There were thus limitations both on area and carrying capacity.

These regulations, with their limitations, were unpopular but the climax came when the "Sydney Morning Herald" declared that the Governor had sent home by the "General Hewitt" a supplementary series of regulations dated April 3rd.<sup>25</sup> These were the *purchase* regulations based on the principle that the squatter was to be enabled to buy part of his run. After five years' occupation, he was to purchase 320 acres, his improvements being taken into account. In return, he was to have undisturbed possession of the remainder for eight more years, after which he could buy a further 320 acres and obtain another eight years of occupation, and so on indefinitely. But the sting was yet to come. If the squatter did not buy, any other person could and the whole of the run would go to the purchaser of the homestead, the previous occupant obtaining only the value of his improvements. In this way, held Gipps, the existing abuses, from the Crown's point of view, would be removed and the squatters would

22. But many doubted whether it would produce the desired results, holding that it would allow squatters to cull the best spots. Cp. "Australian Magazine," February, 1838, pp. 136-7.

23. See, for this grievance, petition of stockholders presented to Council, 18/8/42, in Votes and Proc., 1842, p. 427; cp. Report of Cowper's 1844 Committee, p. 9.

24. The former are in Votes and Proc., 1844, Vol. 2, p. 4, the latter in Vol. 2, p. 25, but first in "Sydney Morning Herald," 13/5/44.

25. "Atlas," 31/5/45.

obtain their complete platform—security of tenure, compensation for improvements, pre-emptive right.

The effect of the two sets of regulations was to rouse the whole country. The men going to the Mallee, to the furthest Murrumbidgee and the Burdekin paused, first in unbelief, then in indignation. Resistance by force was spoken of, even by the coolest pioneers, and grim men considered the two alternatives—“*Ruin or Rebellion.*”<sup>26</sup> The papers became “almost as menacing and excited as the Canadian.” Within a week a Pastoral Association was founded (9/4/44) and included within its numbers sixteen members of Council, three of them Crown nominees. Associations were formed throughout the country and campaigns were subsidised in the English and even the Indian press.<sup>27</sup> The Legislative Council, openly declaring its opposition to Gipps, appointed a Parliamentary Agent (October, 1844) in London to counteract the influence of the Governor, stating in its records that the appointment of this English member of Parliament “was quite independent of the Executive Government of this colony, upon which, indeed, it is intended to operate as a check.”<sup>28</sup>

A Correspondence Committee, headed by the Speaker, was instituted and Benjamin Boyd sent to England to reinforce the activities of the Agent. In England, the leading men of Glasgow and Huddersfield—nobles and merchants, wool-buyers and shipping men—held a meeting<sup>29</sup> to condemn the proposals of Gipps and, in short, “a movement too important to be disregarded either by the local or the Imperial Legislature”<sup>30</sup> was commenced.

The reasons for this opposition were clearly expressed. The occupation regulations were “impracticable in principle and oppressive in detail,” while the “General Hewitt” recom-

26. “Morning Chronicle” (London), 14/9/44; “Atlas,” 28/12/44.

27. E.g., articles in “Madras Athenaeum.”

28. See correspondence in Votes and Proc., 1845, in particular McLeay-Scott, 8/9/45. This was the culmination of what the “Atlas” called “the vice-regal game of cross purposes” (14/12/44).

29. “Colonial Gazette,” 31/5/45. Its criticisms that the regulations meant the withdrawal of capital and exercised an evil effect on British industries elevated the matter from one of local to imperial concern. Cp. memorial to Stanley, 26/5/45, in Votes and Proc., 1845, p. 226.

30. “Atlas,” 4/1/45; London “Sun,” 14/9/44; London “Morning Herald” (Gladstonian) in “Atlas,” 26/4/45. “On no public question,” wrote the Speaker of the Council, “has there ever been so striking an unanimity of sentiment as upon the character of these regulations.” McLeay-Scott (the Parliamentary Agent), 21/2/46.



mendations were "founded on principles which cannot be worked out, without the utter ruin of the grazing interests." Both in common rendered "still more precarious the already too precarious condition of the stockholders."<sup>31</sup> "Too much for a purchase—too much for a lease—too much for a squatting licence"<sup>32</sup> was the cry and the opposition claimed that the revenue beyond the boundary should be limited to the expenses of the border police. Even conceding the principle of raising a general revenue, the rate was deemed to be too high and would lead, said a Committee of Council in 1844, either to a destruction of stock or boiling down.<sup>33</sup>

Apart from this, the regulations of April 2nd were opposed because they vested arbitrary powers in the Commissioner, adding to the existing powers which were "arbitrary and unconstitutional in the highest degree." Since each Commissioner had a monetary interest in exacting higher rentals, the opposition were on firm ground when they demanded the adjustment of rights "by the intervention of a jury."<sup>34</sup>

Curiously enough, while the antagonism to the occupation regulations was unalleviated by any faint praise, the purchase recommendations were not condemned to the same extent<sup>35</sup> and were viewed as "an attempt on the part of Governor Gipps to meet the stockholders of New South Wales half way."<sup>36</sup> The squatters were not averse to the right of pre-emption but merely wished to remove the Crown's safeguards. They objected to the high price, to the uselessness of all but one lot of 320 acres, to the faults of the compensation provisos and to the continual withdrawal of capital. That is, they

31. Cowper's 1844 Committee on Land Grievances, p. 214. Cp. resolutions of the Legislative Council, 17/9/44. Also "Colonial Gazette," 14/9/44, and "Sydney Morning Herald," 6/4/44, 16/5/44.

32. "Atlas," 15/2/45.

33. See evidence before 1844 Committee on Land Grievances, esp. qu. 169 (self-annihilatory), 179 (boiling down), 197, 152 (will limit immigration), 162-5 (impractical).

34. The Commissioner's monetary interest lay in the fact that he received 25 per cent. of any increased rate which he could exact. See Report of 1844 Committee, pp. 8-9; C. Griffith's "The present state and prospects of the Port Phillip District" (1845), pp. 34-35; series of articles entitled "Pastoral Politics" in "Port Phillip Herald," 12/6/45, et seq.; "Port Phillip Patriot," 11/4/44. The Committee proved the point by a perfect example of human nature: "Your committee have become convinced of the evil working of this power, by observing that every witness, while he censured the commissioners as a body, was earnest and eager to except the commissioner of his own district."

35. See p. 6 of Cowper's 1844 Report; "Times," 3/11/45.

36. "Colonial Gazette," 5/10/44; cp. replies in "Atlas," 1/3/45.



accepted the idea of a homestead and the first eight years of security but beyond that they would not go. They failed to see that, after the purchase of a homestead, the regulations reduced themselves to the payment of £320 for something that was relatively useless but which gave security for another eight years. The "General Hewitt" recommendations thus meant a homestead and a tax of £40 a year for security.<sup>37</sup>

In the background, too, were the wider arguments, for the Council objected to taxation by prerogative and to the imposition of a revenue "not only without the aid but without the consent or advice of the Legislature."<sup>38</sup> And, passing over this, they objected to expenditure of money in carrying out theories of colonisation.

This was the wider constitutional aspect of the squatting question but Governor Gipps was unperturbed by the whole of this propaganda. Regarding the occupation regulations, his attitude was that the just dues of the Crown necessitated a higher licence fee while, as for the "General Hewitt" recommendations, he held that, since the squatters were obtaining security and a homestead, they should pay for them. He answered their arguments about oppression with a few figures, showing that the assessment on stock had never been sufficiently productive to meet the expenses of the Border Police, while the licence fees could not meet the administrative charges.<sup>39</sup> For the rest, the land belonged to the Crown and the royal rights were as absolute over the wildest desert of Australia as they were over Windsor Park. Theoretically, Gipps demolished almost all of the squatters' arguments<sup>40</sup> and his two sets of regulations, taken together, were a fair solution of the question.

This does not mean to say that the concession of a lease

37. The protest of the Pastoral Association, 16/5/44 (in Votes and Proc., 1844, Vol. 2, p. 23), misses the real point, only two of the 12 claims being accurate. Cp. "Colonial Gazette," 5/10/44, for criticisms.

38. Second head of Cowper's 1844 Report, pp. 4-5. They wrongly held that such taxation was "not in accordance with the law of England." Cp. the Council's motions of 31/6/46, in Votes and Proc., 1846, Vol. 1, p. 37. Contrast Stanley-Gipps, 18/8/45 for "so improbable a contingency" as control of revenue.

39. See Gipps' message accompanying the 1845 estimates, in Votes and Proc., 1845, Vol. 1, p. 243. From 1839-43, the assessment yielded £69,607 as against £70,010 incurred by the Border Police. The surplus of license fee and assessment together, with only cost of collection deducted, amounted, in the years from 1837 on, to £1714, £1397, £1731, £10,723 (first year of assessment), £14,368, £23,628, £19,322.

40. See his marginal comments to the 1844 Committee's Report, in "Port Phillip Herald," 23/12/45; "Sydney Morning Herald," 6/12/45.

for a certain number of years was not desirable or that the idea of terminal purchases was in itself good but that, at that time, the plan was feasible and just. By no means final, by no means the best possible, the scheme was yet an advance on the previous system. But Gipps might have paid more attention to one factor—that it was not a mere question of logic or justice. The very magnitude of the pastoral interests and their ramifications at home raised the question of policy. Was it politic to insist on an argument fair to both sides? Was it not better to abate the Crown's rights than to coerce a whole colony? Gipps' settlement was the most just; whether it was the most politic was another question.

It was none the less fortunate, however, that the Governor insisted on the rights of the Crown, for that insistence tempered the emotional fervor of the opposition.<sup>41</sup> At the cost of his own popularity, Gipps for all time impressed the Crown's arguments on the squatters and fortunately was supported by Stanley, the Secretary of State, who refused to accept either the overtures of Boyd or the report of the 1844 Committee.<sup>42</sup> The pleas for a purely nominal rental were described as unfair, those for the repeal of the Sales Act as impertinent, and those for the local control of land revenue as absurd. The only really practical suggestion was the request for a twenty-one years' lease and the Home Government thought this fixity inexpedient and the term too long. In a word, the Colonial Office still turned to Gipps, "than whom no one had on this subject more accurate and extensive knowledge or a sounder judgment."<sup>43</sup>

The colonists, perceiving this firmness, assumed a more moderate attitude and, from the dawn of 1846, turned rather to confront the growing scarcity of labor<sup>44</sup> and to combat the

41. "Atlas," 14/12/44, 15/2/45, held that the regulations made "all the difference between living like an English gentleman or an Usbeck Tartar."

42. A. McLeay-F. Scott, 6/10/45, 8/11/45, in *Votes and Proc.*, 1845, p. 227, et seq. Cp. "Atlas," p. 14, 28/12/44; 10/5/45.

"Two things alone can save us from undoing,  
A change of measures and Sir George's going."

But note the change in popular feeling by 1847; see "Heads of the People" (weekly), 30/10/47.—"Sir George Gipps needs no defender now," because of the changed position of the squatters under the Order in Council.

43. Grey-Fitzroy, 30/3/47.

44. Cowper's motion of 21/9/47, in *Votes and Proc.*, 1847, Vol. 1, pp. 207-8.

effect of English free trade on the wool industry.<sup>45</sup> Really, it was the free trade disturbance in England which accelerated the issue of their leases, for opinion had been tending in this direction for a number of years, while Gipps' idea of terminal periods amounted in principle to a lease. After failing in 1845<sup>46</sup> because of the free trade election, the idea of fixity for a number of years became law in the Imperial "Waste Lands Occupation Act" of 1846. This ended the first period of the squatters' relations with the Government and led to further trouble in that it embodied Gipps' concessions while thrusting aside his safeguards. Gipps had fought for security but not an irrevocable security, for rights but not permanent rights. He had gone down before the storm but had kept the storm in check until the real danger had passed. Now, a scheme which purported to carry out his ideas really abandoned them in order to conciliate powerful interests.

Embodied in the famous "Order-in-Council"<sup>47</sup> of March, 1847, this Act had one note throughout—a desire "to give encouragement to those engaged in pastoral pursuits." The old system of having the Nineteen Counties and squatting districts "beyond the limits of location" was removed and in its place came a new division.<sup>48</sup> There were to be three classes of land—settled, intermediate and unsettled.

Near the towns and coast were the "settled" districts, in which pastoral leases could be obtained from year to year. Beyond this was a wider belt comprising the more populated pastoral districts. These formed the "intermediate" country<sup>49</sup> where leases for eight years were to be allowed but where the land was to be offered for auction at the close of every year. Beyond this again were the "outback" squatting lands, where

45. For position at this time, see Hutt's repeated protests in Commons, the most famous reprinted as a pamphlet in 1847. See "Statistical Abstract for the U.K. for the last 15 Years" (1845), table 2, for Australia's position in relation to Germany and Spain.

46. This was the Bill of Under-Secretary Hope conceding leases for seven years, but maintaining the Crown's rights in all other directions. See N.S.W. Votes and Proc., 1846, Vol. 1, pp. 62-4, 86; Stanley-Gipps, 7/8/45; "Atlas," 22/11/45; Scott-Gladstone, 26/4/46, in Votes and Proc., 1847, Vol. 1, p. 296.

47. See Act 9 and 10 Victoria, c. 104; regulations in Grey-Fitzroy, 30/3/47; N.S.W. "Government Gazette," 7/10/47; Votes and Proc., 1847, Vol. 1, pp. 285-91; appx. to Campbell's "Crown Lands of Australia."

48. The first draft left this division in the Governor's hands, the second withdrew it. Scott-Speaker of Legislative Council, 1/5/47.

49. 1846 Report of C. L. and E. C., p. 8; "the contrivance of having a class of lands to be described as "intermediate lands" is intended to provide for the wants of future settlers, and the gradual advance of civilisation."



the conquest by the graziers was still proceeding and where natural obstacles made the land unsuitable for farmers. In these "unsettled" lands, leases could be obtained for fourteen years, during which the lessee alone could purchase the land. In all cases the squatter had to pay for his run and assessment for his stock. The rental, however, was no longer to be a fixed sum but was to vary with the stock carried and to be determined by two evaluators, one appointed by the squatter, one by the Commissioner. The squatters thus received the three privileges for which they had fought; they had acquired rights in the land; the Order-in-Council was the anchor of their rights.<sup>50</sup>

The result was immediate. There was a complete readjustment of the elements within the colony. Till this time, the squatters' cause had been the popular one and Boyd's squatters had joined Wentworth's popular party against Gipps. But now, Gipps was removed and the squatters no longer oppressed pioneers. They formed a class of privileged occupants whose interests were bound up with those of the Executive and, having won their fight, they turned against their previous allies. The Order-in-Council thus led to a struggle between squatters and people,<sup>51</sup> to the formation of the *impasse* which was shattered only when free selection was achieved in 1861.

It was the time when the squatting cause became linked up with constitutional issues and when the position was determined by the conflict in leadership between a few men. It was above all the period of Robert Lowe and of his rivalry with Wentworth. In the reaction after 1844, Lowe kept interest in land matters alive, presented an entirely new attitude in the Select Committees of 1847 and 1849, and clarified the issue before the gold discoveries. As unstable as he was brilliant, he both made and marred the people's cause, for his unquenchable flow of words was never to be relied on. Before such a buoyant nature, Wentworth arose with his fixed policy and his gruff but unmistakable manner of stamping

50. H. de Castella's *Les Squatters Australiens*, p. 177-8; J. F. L. Foster's "The new colony of Victoria" (1851), pp. 14-16; Brodribb's "Australian Squatter," pp. 53-4, 13.

51. See chap. 8, above; "Atlas," 20/5/48; cp. the squatter Robinson's attitude to Lowe's motions of 12/5/48.



it on the people.<sup>52</sup> Wentworth wanted *both* popular Government and squatting privileges, and his middle-way course appealed to more and more people. "A growl from Mr. Wentworth has oftentimes more weight than an exquisitely polished sentence from Mr. Lowe."<sup>53</sup> Lowe was too brilliant to be trusted; his cause suffered in consequence.

Once more the question centred round the price of land, for now it was to the squatters' interest not to lower but even to increase the rate.<sup>54</sup> The Order-in-Council conferred a secure tenure; a prohibitive price made that tenure as lasting as fee simple. "The land was virtually given to them" and what had been their chief menace now became their safeguard.<sup>55</sup>

Hence, a Committee of the Council, with Lowe as Chairman, reported in 1847 that the Order-in-Council was fundamentally wrong, for it had sacrificed all other classes of settlers to the large squatter. But, in attacking the high price, this report erred; for it led to a retreat of the officials of Downing Street to their defences of the Wakefield theory. Lowe's policy merely invoked Wakefield's theory and threw Grey into the arms of the squatters.<sup>56</sup> In a word, he had miscalculated.

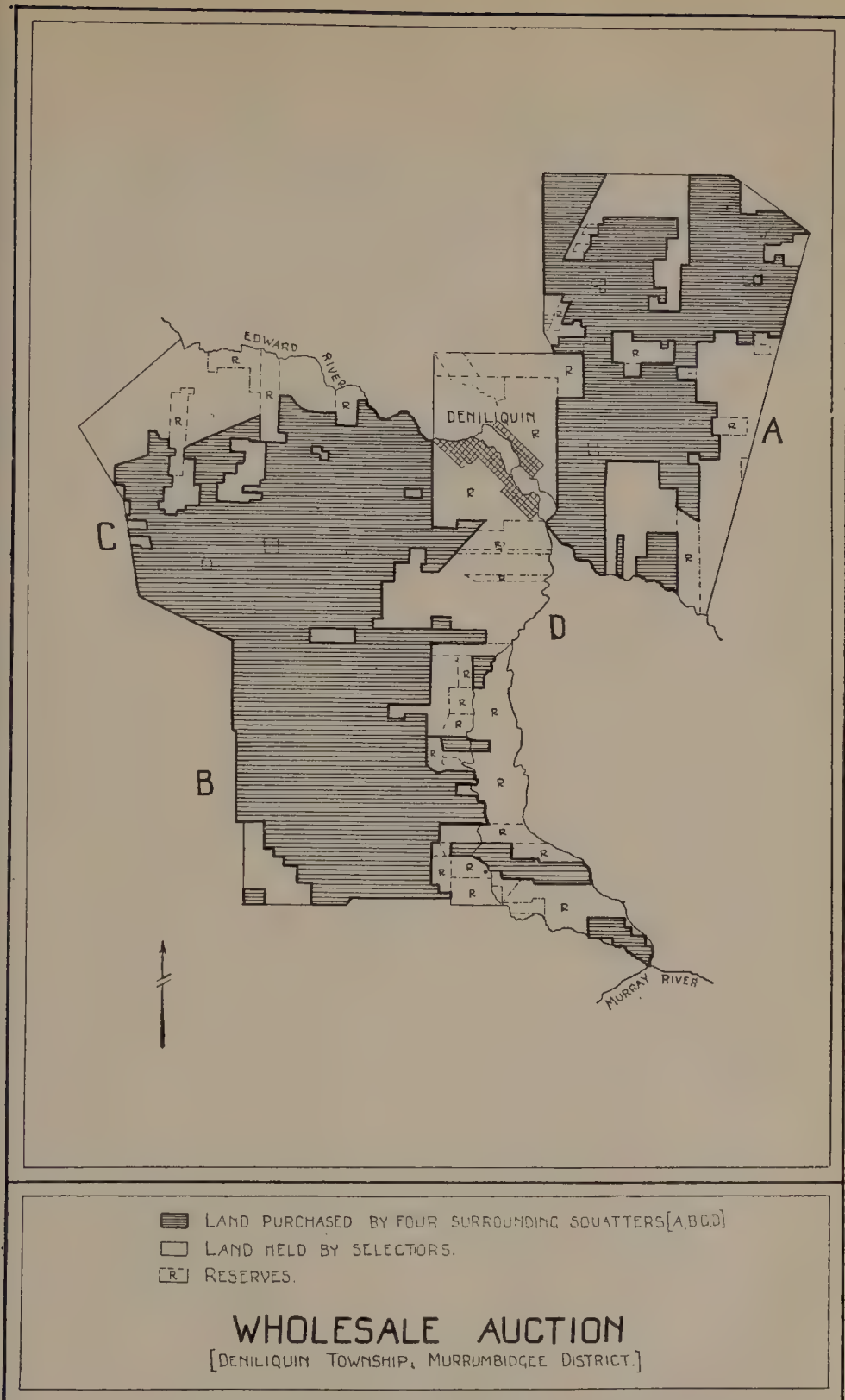
52. "Heads of the People" (weekly), Vol. 1, 4/9/47, for character sketch. "To use his own words, as introduced in his speech on the Squatting question, 'he has changed his views, and may probably change them again'." Cp. "Atlas," 19/9/45; P. Martin's "Life and Letters of Robert Lowe, Viscount Sherbrook," Vol. 1, ch. 22.

53. "Heads of the People," 4/9/47.

54. "Atlas," 20/5/48.

55. Lowe's 1847 Committee, p. 4. "If land is to remain in the possession of the present occupant till sold at £1 an acre, it matters not whether he holds a lease for eight or 14 years, whether it is liable to be put up at auction at the end of every year or at the end of every fourteenth year, or whether he have or have not a right of pre-emption. It is his and his for ever, not because his title is good, but because no one will be in a position to avail himself of its defects."

56. The Report of Lowe's Committee is in Votes and Proc., 1847, Vol. 2, p. 513 et seq., esp. p. 6 (cp. 1843, p. 766). The replies are in Grey-Fitzroy, 11/8/48, and the enclosed report of the C. L. and E. C., 3/8/48. Grey pointed out that stockmen "and others who do not appear to have any direct interest in the question" thought the regulations equitable. Moreover, he held, they introduced no new system but merely carried further a practice which had been gradually emerging—security of tenure. Lowe's arguments were said to be based on a wrong premise, a supposition that the squatter was virtually an owner in fee-simple, the arguments against the high price being in consequence beside the point. Here entered the C. L. and E. C. who pointed out that, instead of too few sales taking place, there had been too many, otherwise alienated land would have increased instead of depreciated in value. To proceed on Lowe's basis, said Grey, would mean that "the smallest coin in the Colony would soon be too large a price for an acre of land," and, if the opposition were reduced to such arguments, their cause was palpably weak. Contrast "Sydney Morning Herald," 16/10/47.



## THE OPERATION OF FREE SELECTION (2)

Fig. 37

188a

See Appendix 3.



The regulations became law in October, 1847,<sup>57</sup> and, when Lowe's second Committee (1849)<sup>58</sup> could suggest no improvement beyond a reduced price, remained unchanged. At this time, there were 1019 squatters in the Central District, holding nearly 44,000,000 acres of land. From this point commenced the rivalry with agriculture, especially when two years later the gold rushes commenced. That is, just as the departure of Gipps had synchronised with the end of the struggle for security, so too that of his successor, Fitzroy,<sup>59</sup> closed a distinct period and marked the final acceptance of the Order-in-Council of 1847, the problem presented to his successor in turn being of a different nature again.

During these years, too, the squatting problem had presented itself in various guises in the other colonies. In Moreton Bay, there had been quietness, the squatters being concerned with the shortage of labor. In Port Phillip, the issue had been almost as tumultuous as in the middle colony. In South Australia, the squatters were weaker than elsewhere while, in the westernmost colony, there was scarcely any friction.

For South Australia, the later forties were years of expansion to the south-east, the more rapid because this colony suffered less than its neighbors in the crisis of 1841-3 and did not know the stark despair of boiling-down. But, until the late years of the decade, South Australian squatting was associated with a curious mobility,<sup>60</sup> a stockman merely having turf huts and movable hurdles, and there was no suggestion of "permanent settlement"<sup>61</sup> until at least 1847. Not till then were the squatters certain that they could "no longer be turned out of their huts, or *eaten* out of their runs by intruders." Not till then, that is, was there any vestige of security of tenure.

57. They were supplemented by regulations of November, 1848, which were supposed to provide for small farms, but which led to "picking eyes." See "Government Gazette," 29/3/48, 21/11/48; "Atlas," 8/4/48; Votes and Proc., 1849, Vol. 2, p. 555, and Vol. 1, pp. 809-14; petition by Latrobe, 26/12/48.

58. Report, 12/6/49, in Votes and Proc., 1849, Vol. 2, pp. 543-599. It turned out to be a Committee for special and not for general purposes, although ostensibly "to inquire into the management of the Waste Lands."

59. Votes and Proc. 1854, Vol. 1, p. 400. Only six of 34 members opposed Fitzroy for "not relaxing in any way the oppressive character of his Land System."

60. J. F. Bennett's "S.A." (1843), p. 96.

61. "S.A. Gazette," 9/1/47.



The South Australian Commissioners had originally contemplated pasturage leases and, up to the middle of 1836, each landholder was entitled to demand such a right over sixteen times the area of his freehold<sup>62</sup> but the notion was never applied, as it was ridiculous to suppose that sheep and cattle could be hemmed in within such small blocks or that survey could keep ahead of squatting needs.

Grey therefore proposed (1842) that there should be a system something like that of New South Wales but could secure only an uncertain yearly basis,<sup>63</sup> so that squatting seemed in a parlous condition<sup>64</sup> when the regulations appeared under the Imperial Act of 1846. From that time dated the features peculiar to South Australian squatting, for the circumscribed area rendered unwise the concessions allowed in New South Wales—leases up to 14 years and three districts. The emphasis was rather on allowing easy access to the land at any time. Certain hundreds were marked out, within which there could only be yearly licences with no rights; outside, leases up to 14 years were conceded. But the crux of the whole lay in the proviso that, when any land was declared to be a hundred, all leases automatically ceased and, even without this, a lease could be withdrawn on six months' notice. In the fifties and sixties, therefore, the practice of "killing a squatter"—converting outside land into a hundred—became a means of raising revenue and, since only one member of the Council was a squatter, legislative redress was impossible. The squatter had no right of pre-emption or renewal and the man at Rivoli Bay or the Murray Flats was thus in a far worse condition than his compeer on the Lachlan or Murrumbidgee. Thus, although 15,311 acres were occupied and over a million sheep depastured, burdensome regulations came to be

62. The first scheme was in June, 1835, but it was twice modified (October, 1835, and August, 1836), each time in favor of landowners. See the exhaustive history of tenures in "S.A. Government Gazette," 18/8/42; cp. Bennett, p. 97.

63. At this stage, there was a difference between "depasturing" and "occupation," the former applying to landowners who used lands adjacent to their freehold, the latter to squatters in the N.S.W. sense. The latter had to pay a much higher rate (£5, as against 10/6). "S.A. Government Gazette," 8/2/43, 3/9/46. Act of Council, 6 Vic., No. 8. See "Southern Australian," 19/8/42, 30/8/42, 6/6/48. Even with this distinction, adverse legal decisions of 1846 removed all rights of freedom from intrusion. See report of case in "Adelaide Observer," 7/6/45; "Southern Australian," 17/11/43.

64. 1849 Report of C. L. and E. C., p. 61, for Young's despatch of 8/6/49.

proclaimed under the 1846 Imperial Act (1850)<sup>65</sup> and the period of squatting gloom continued.

In Western Australia, the squatting problem had been settled even more simply. In the thirties, the stress had been on expelling intruders on Crown lands<sup>66</sup> rather than fostering a new industry; but Governor Hutt, Wakefieldian though he was, saw the futility of theoretical arguments against dispersion and spoke of giving "some fixed centre of operations" to the stockmen.<sup>67</sup> Unfortunately, the Colonial Land and Emigration Commissioners rejected both this and a request (1842)<sup>68</sup> for "a right of preferable renewal and of pre-emption." In consequence, a period of drift set in until, after the issue of temporary occupation licences in 1845-6, depasturing licences were initiated in 1847.<sup>69</sup> Even then, they were mere skeletons, with elaborate schedules to prevent "the depasturing a larger quantity of stock than the land can bear."

Naturally there was no advance under these conditions and for years "a progressive abandonment" took place until the 1846 Imperial Act was passed.<sup>70</sup> The position in this colony was difficult because of the supremacy of the land-owners who had obtained large areas in the first few years of settlement and who tended to penalise the squatters.<sup>71</sup> It needed all of the efforts of the popular Governor, Fitzgerald, to heal the breach and to make the Council see that the pastoral industry was the colony's staple, for, in 1850, there were 128,111 sheep as against 7419 acres cultivated. Hence, the squatters had to have rights.

65. For the long negotiations, see 1849 Report of C. L. and E. C., pp. 58-9; Young's despatch of 8/6/49; S.A. Votes and Proc., 1857, paper 176, for correspondence. For the proclamation, see Order in Council, 19/6/50, and "S.A. Government Gazette," 7/11/50; "S.A. Register," 9/11/50. Cp. Young-Grey, 23/2/49.

66. "W.A. Government Gazette," 10/8/36, 26/1/39, and 24/9/41 (for bill with still heavier punitive sanctions).

67. The famous "Regulation 5," praised in F. J. Biddulph's "A Letter to Lord Stanley on the Pasturage of the Waste Lands in the Australian Colonies" (1842), p. 18.

68. "W.A. Government Gazette," 22/7/42; see 23/9/42, for Colonial Act 6 Vic., No. 6, disallowed, 26/1/44.

69. For the various tentative regulations, see "Government Gazette," 21/7/43, 18/10/44, 2/10/46, 10/9/47—the final code. At the end of 1849, the possibility of one renewal was allowed and, in December, 1850, a new system was promised.

70. Accounts and Papers, 1846, Vol. 24, p. 99; Report of York Agricultural Society, enclosed in Irwin-Grey, 30/6/47; "Inquirer" (Perth), 4/2/46; cp. the Annual Reports exhibiting the past and present state of the colonies, in Accounts and Papers; Cp. Sydney Smith's "Whether to go and whither?" (1852), p. 79, for decline.

71. The members of the Committee which drew up the regulations alone held half of the alienated land in the colony.

The Council, therefore, adopting the principle of New South Wales which provided for "the gradual advance of civilisation,"<sup>72</sup> divided the lands into two parts, the one having yearly, the other eight-yearly, tenures. An innovation lay in the provision of "agricultural leases" for small areas, this being Western Australia's safeguard against the squatters. These regulations, embodied in an Order-in-Council of March, 1850,<sup>73</sup> proved successful. The machinery for defining runs worked smoothly; new grazing lands were opened up, especially in Champion Bay and the north; and "the want of new and extensive pastures" was in itself a happy portent. In 1854, for example, expeditions were despatched to the Murchison and Bunbury and later A. C. Gregory discovered the Murchison Plains in the north (1856), while his brother reported that well-watered lands existed in the Gascoyne district (1858).<sup>74</sup> The result was that the number of sheep in Western Australia increased from 128,111 in 1850 to 260,136 in 1860.

Thus, by the time of the gold discoveries, the squatting problem of the forties had for the time being been settled. The regulations under Grey's Act of 1846 had at length been introduced and, while keeping the same basic principle, varied to suit the circumstances of each colony.<sup>75</sup> The three districts of New South Wales had a division between settled intermediate, and unsettled lands; South Australia had a cleavage between hundreds and outside land, and Western Australia had a corresponding difference between lands near centres of population and those beyond. In all, the squatters were intrenching themselves and in each, too, the first voices stressing the antagonism of squatting and agriculture had been raised. At this juncture, came the gold discoveries.

72. Accounts and Papers, 1847, Vol. 2, p. 8.

73. "W.A. Government Gazette," 17/12/50; 26/8/51. The sections were A and B.

74. Fitzgerald-Grey, 26/4/49, 30/4/51; R. Austin's "Journal" (1855), pp. iv.-vii., appx.; Gregory's "Journals of Australian Explorations," pp. 47-51.

75. Grey, in despatch of 13/4/47, even advised them for V.D.L.



## CHAPTER 16.—THE NEW SQUATTING COLONIES.

### I.—*Port Phillip.*

Port Phillip, as Victoria was called, was the best example of what the Colonial Office termed “the triumph of popular feeling over positive law,” for there squatters forced the Government to declare a colony, in direct defiance of their policy. Though there had been small settlements on the coast in 1803 and 1826,<sup>1</sup> the Government refused to allow permanent occupation south of the Nineteen Counties. But the shortage of pasture land in Van Diemen’s Land and a new Impounding Act<sup>2</sup> led to an unauthorised occupation of the mainland at three points—by the Hentys at Portland (1834), by Batman at Port Philip (1835) and Mackilop in Gippsland.

The Hentys, men of capital, who had proceeded to Van Diemen’s Land from Swan River, made several excursions to the country round Portland and tried to buy a tract of 20,000 acres.<sup>3</sup> Since Arthur of Van Diemen’s Land supported this proposition,<sup>4</sup> the Hentys proceeded with their occupation and, by August, 1835, “were importing sheep and cattle as fast as vessels could be found to bring them over.”<sup>5</sup> Mitchell’s report of the interior (1835) spurred them to still further efforts and the Wannon was occupied by them and by others.

Shortly after this western settlement, a larger venture was undertaken “for the purpose of forming an extensive *Pastural Establishment*” at the head of Port Phillip itself.

1. The early settlements were answers to the supposed French menace. See documents in *Historical Records of Australia*, Series 3, Vol. 1, pp. 1-123. The official attitude may be seen in the curt answer to the proposal of Batman and Gellibrand to occupy Western Port (1827), (although the “Quarterly Review,” October, 1825, pp. 325-6, proposed a convict colony).

2. Fawkner said this Act was “the main cause” of the migration. Cp. Simpson-Wedge, in *Port Phillip Papers* (MS., Mitchell Library), letter of 16/5/35, for scarcity of land.

3. Henty’s memorial to Stanley, in Arthur’s despatch of 18/4/34.

4. Arthur-Hay, 15/11/26, for approval of a previous project. See V.D.L. Company’s Outgoing despatches, No. 42 (13/2/27), No. 159 (14/11/30), No. 85 (25/11/35); Curr-Colonial Secretary of V.D.L., 4/12/35 (MS. in Burnie).

5. Letter of S. G. Henty, in “Letters from Victorian Pioneers,” pp. 260-5.



Early in 1835, twelve inhabitants of Van Diemen's Land joined a bushman, John Batman, in a "Port Phillip Association"<sup>6</sup>—a vague agreement by which the members promised to share expenses but to obtain separate allotments. In May of that year, Batman explored the land and obtained from the natives the cession of about 60,000 acres of land—"as rich land as I ever saw, with scarce a tree upon it." The details of a treaty which had been already prepared were filled in, the savages made marks on the parchment and in this way did "give, grant, enfeoff and confirm" a principality to which they had no claim to a private adventurer.<sup>7</sup>

But, although Batman's party were clearly "unauthorised intruders on Crown lands"<sup>8</sup> and though Gellibrand's treaty was "the subject of much joking" throughout the colony, other parties—led by Fawcner and his five associates—quickly followed<sup>9</sup> and soon stockmen were settled round the northern side of the Port.

The Government in Sydney soon perceived that these ventures were far more serious than the various sealing establishments and, in August, 1835, Bourke issued a proclamation<sup>10</sup> warning off intruders. All treaties with the tribes were void "as against the rights of the Crown" and it was stated that—

"All persons who shall be found in possession of any such lands as aforesaid, without the license or authority of His Majesty's Government for such purpose first had and obtained, will be considered as trespassers."

But, since the Governor was convinced that this would be futile and that the speculators "would continue to convey

6. See Port Phillip Papers (Mitchell Library), for Wedge's letters, also the collection in the Melbourne Public Library. The best account is in Bonwick's "Port Phillip Settlement." For emergence of the Association, see Simpson's letters in Port Phillip Papers. For emergence of Gellibrand to supremacy, see Simpson's letter of 17/9/35, and Wedge-Conolly, 10/4/36. For relations with Fawcner and others, see Batman-Wedge, 10/10/35, and the MS. memo. drawn up by the Association for Batman, 22/10/35 (Port Phillip Papers). See fig. 26 for plans.

7. Batman's Journal is in MS. in Melbourne Public Library, with copies in Arthur's despatch of 25/6/35, or Bonwick, p. 143 et seq. Cp. "Hobart Town Courier," 26/6/35; "Tasmanian," 19/6/35; documents in appx., pp. 225-238, of 1836 Report of Committee on Waste Lands.

8. Colonial Secretary of V.D.L.-Colonial Secretary of N.S.W., 5/9/35 (Chief Secretary's Office, Hobart); "Australasian," 29/3/36; Simpson-Wedge, 19/6/35, in Port Phillip Papers, above.

9. For Fawcner, see Bonwick, ch. 13; for others, see "Letters from Victorian Pioneers," p. 279 et seq., or "Transactions of Philosophical Society of Victoria," 1858, Vol. 3, p. 63 on. Cp. "Hobart Town Courier," 22/4/36; "Colonial Gazette," 2/10/39; Batman-Wedge, 18/6/35 (Port Phillip Papers).

10. "N.S.W. Government Gazette," 2/9/35; Labillière's "Early History of Victoria," Vol. 1, p. 121.

cattle to Port Phillip and to invest capital in building and other improvements," he proposed that "a township be marked out."<sup>11</sup> Glenelg too perceived that the Government could but control that which it could not prevent and acquiesced.<sup>12</sup> Accordingly, a police magistrate, Lonsdale, and three surveyors were sent to open the land (April, 1836) which was placed under the laws of New South Wales.<sup>13</sup> It was clearly and repeatedly laid down that, as Lonsdale's instructions ran, "the premature occupation by individuals will give them no advantage at the time of sale,"<sup>14</sup> so that the inhabitants merely erected slab huts along the woods of Batman's Hill and grazed stock under a yearly licence until the chainmen completed the survey.

Already, by June, 1836, there were 142 men and 26,500 sheep at the settlement, stations had been established eighty miles inland, and there had been nearly fifty trips of the stock vessels from Van Diemen's Land.<sup>15</sup> This progress was continuous until, in July, 1837, a superintendent, Latrobe, was appointed in order to afford a more stable administration.<sup>16</sup> In a word, land sales had commenced (June) and a colony had been established and recognised.

But what of the pioneers? Four members of the Port Phillip Association had actually settled on their lands and one, Gellibrand, the most energetic spirit, had been lost in the bush. But, even in the middle of 1836, nearly thirty outside settlers had occupied part of the Association's lands in defiance of their treaty. The Association's representative, Mercer, soon perceived that their claims were untenable and confined his efforts to a request for special concessions at the auction sale. However, the opposition of Bourke and the Legislative Council of New South Wales was so marked that they obtained only

11. Bourke-Glenelg, 10/10/35; "Hobart Town Courier," 17/6/36.

12. Glenelg-Bourke, 13/4/36; "Sydney Herald," 9/3/37.

13. Bourke-Glenelg, 15/9/36; "N.S.W. Government Gazette," 14/9/36; "Sydney Herald," 8/9/36; no applications were to be considered before the completion of the survey.

14. Enclosed in Bourke-Glenelg, 14/9/36; cp. Glenelg-Bourke, 31/5/37; "Hobart Town Courier," 4/3/36.

15. Stewart's Report to Colonial Secretary, 10/6/36; Bourke-Glenelg, 14/6/37; "Hobart Town Courier," 10/6/36; "Hobart Town Almanack," 1837, p. 142.

16. "N.S.W. Government Gazette," 11/9/39, p. 997.

a remission of £7000,—their expenditure before August, 1835.<sup>17</sup> The Hentys fared in much the same way for, after a twelve years' struggle, they received compensation of £1638 (1846) in all,<sup>18</sup> this tardy recompense being due to the attitude of Gipps, who held that the only result of the Hentys' effort had been to force the Government "to incur considerable expense in the formation of a new settlement."

By the time of the first sale of the land which the Association claimed (June, 1837), the flocks from the old colony had reached the Goulburn Valley and the occupation of the whole of Port Phillip was assured. Competition at the land sale, therefore, was keen, the average price being £70 an acre.<sup>19</sup> From this moment commenced the long agitation against the manner in which the lands were disposed of, for, from the end of 1837 to August, 1839, sales were held in Sydney and it was claimed that "Sydney speculators" monopolised the land and retarded its development. And, even when the sales were transferred to Melbourne, discontent continued because the supply was in no wise proportionate to the demand.<sup>20</sup> Land could be bought only at the discretion of the Government and not, as in other districts, on application. The result, especially as regards the discouragement of new settlers, was thoroughly evil. For example, a company which had intended to settle 400 Scots near Portland Bay was compelled by the shortage of land to send its emigrants to "Texas and the United States"<sup>21</sup> and this was by no means an isolated instance.

Under such conditions, speculation naturally became the order of the day, and writers of the time spoke of "a spirit of speculation as hair-brained as ever the world saw," "A general mental inebriety," "A craze for auction and subdivision," "the artificial stimulus which resulted from Sir George Gipps'

17. Bourke-Glenelg, 12/11/36, and reply of 10/7/37; Bonwick, p. 346; Mercer's "Case of the Port Phillip Association" (1836); Labillière, Vol. 1, p. 258 on, Vol. 2, pp. 205-44; Simpson-Wedge, 19/8/36 (Port Phillip Papers); Grey-Mercer, 30/3/36 (grant refused), 31/11/36.

18. Bonwick's "Port Phillip Settlement," p. 134.

19. "N.S.W. Government Gazette," 12/4/37, 2/8/37; Bonwick, pp. 443-455; map of allotments in Turner's "History of Victoria," Vol. 1, pp. 391-5; cp. "Port Phillip Gazette," 12/6/39, 3/9/39. At the second sale (1/11/37), the average was £84 an acre.

20. "Port Phillip Gazette," 6/4/39, 16/10/39; "Colonist," 2/2/37, 16/3/37; "Port Phillip Patriot," 6/2/39. At the first sale in Melbourne (August, 1839), after the transfer from Sydney, 6306 acres were sold for £14,730, yet the demand continued unabated.

21. "Port Phillip Gazette," 17/7/39.



system of land sales," and so on.<sup>22</sup> Instead of a system aiming at settlement, caprice and uncertainty, in a fantastic atmosphere of champagne-accompanied sales, were supreme. Therefore, by the time of the sale of October, 1839, the investment of money in land had "become a perfect lottery,"<sup>23</sup> for there was no criterion whatever to ascertain its intrinsic value. By the end of the year, 76,589 acres had been sold for £111,667<sup>24</sup> and yet there was little cultivation and farmers could buy only from speculators.

At that time, opposition to the land laws was intimately bound up with opposition to the new colony of South Australia<sup>25</sup> for, as early as 1836, the Colonisation Commissioners had desired to extend Wakefield's ideas to "the extensive district stretching from Portland Bay to the eastern coast of New Holland," pleading that "the very existence of South Australia depended on such measures."

At first the Secretary of State, Grey, stood out against these overtures and even authorised the Governor to *lower* the price, "in the highly probable contingency of the refusal of the community to acquiesce in those terms." This reserve power, though merely an unwelcome *pis aller* to the Colonial Office and a direct affront to the Wakefieldians, proved a useful reserve power to the Governor in the early days of the settlement.

But, once the settlement was firmly established, Wakefield's ideas began to have more influence until, in 1840, "the South Australian system," as Gipps called it, was introduced root and branch into Port Phillip.<sup>26</sup> By this time, the situation had completely changed and those who had previously clamored for land sales now denounced each successive sale, for the land revenue from Melbourne went to remove the

22. "Colonial Gazette," 18/12/39; Curr's "Squatting in Victoria," pp. 5-15; "Port Phillip Patriot," 19/10/40, 9/11/40.

23. "Port Phillip Gazette," 5/10/39, e.g., three allotments bought for £150 were sold in 1839 for £10,224. Cp. "Port Phillip Gazette," 10/8/39, and supplement for 14/9/39.

24. N.S.W. Votes and Proc., 1842, p. 14; Gipps-Russell, 19/12/40:

	Country.		Town.
1837	—	87 acres for	£7,142
1838	38,653 acres for	41 " "	£8,826
1839	38,283 " "	65 " "	£9,008
1840	82,729 " "	169 " "	£82,732

25. "Port Phillip Gazette," 9/7/39.

26. "Port Phillip Patriot," 13/2/39 (12/-); contrast "Gazette," 21/9/39, and 8/12/39; "Patriot," 10/10/40 (protest), and May, 1841, for letters of C. L. and E. C.; Gipps-Russell, 19/12/40.



general deficit in Sydney's accounts.<sup>27</sup> The residents of Port Phillip, desiring a separate land fund and its application to immigration, claimed that the land laws would have benefited them quite as much had they applied to Nova Zembla! <sup>!28</sup>

This "storm in a teacup" produced its effect when in August, 1840, Lord John Russell,<sup>29</sup> on the advice of the Colonial Land and Emigration Commissioners, issued instructions for the division of New South Wales which had previously extended from Cape York to Bass Strait. From the Murrumbidgee (*not the Murray*) to the sea was henceforth to be the separate Southern District,<sup>30</sup> within which there were to be special surveys and a uniform price.

In both regards, however, the change was a failure. The loss of revenue under the fixed price was so obvious that Gipps at once reserved certain lands from its operation and thus saved £993,490 at Melbourne and Geelong alone.<sup>31</sup> The price provided "rare halcyon days for capitalists and speculators," depreciated previous land values, opened the squatters' runs to "anyone who may be able to get before them to the Land Office" and, in short, sacrificed the colony to a theory. So manifest were the evils that the colonists thought that the regulations would never come into operation, but the advertisement of 110,000 acres of good land scattered throughout the colony (July, 1841) dispelled their doubts.<sup>32</sup>

Weak, too, was the provision for special surveys. The famous "Section Nine"<sup>33</sup> united everybody, squatter and town-dweller alike, and rumors spread that companies had already marked out twenty of the leading stations<sup>34</sup> and were contemplating the purchase of suburban land. And when the first holder of an actual order, Henry Dendy, arrived, an *impasse*

27. "Port Phillip Patriot," 19/6/40, 22/6/40.

28. For labor shortage, see W. Greig's MS. "Farm Day Book," 1840-1, 23/12/40 (Mitchell Library), a good account of conditions by one of the early farmers on "the river Plenty, or Yarra rivulet."

29. In Russell-Gipps, 31/5/40; "S.A. Record," 8/8/40; Votes and Proc., 1841, p. 42.

30. Even the "Patriot" held that the boundaries, esp. the loss of the Liverpool Plains on the north (see map), were cutting the wings of the Great Penal Colony something too short" (14/1/41). Cp. 21/1/41 for turmoil at Sydney.

31. Gipps-Russell, 19/12/40, 21/2/41 and enclosure; notice of 5/12/40.

32. Gipps-Russell, 19/12/40; "Patriot," 11/1/41, 4/2/41, 24/6/41.

33. First Port Phillip "Special Survey" is in full in "S.A. Record," 19/9/40; "Patriot," 11/2/41; "Government Gazette," 8/6/41 for eight more.

34. "Sydney Herald," 1/2/41; "Patriot," 26/4/41—"Port Phillip Special Survey Company," with a capital of £200,000.

was created. Everybody was in a quandary—Gipps because no instructions had been issued, Latrobe because he did not wish to offend Gipps, Dendy because he did not know what to do, the speculators because they were forestalled, and the squatters because “like puppies their eyes are opened at the ninth hour to the danger which threatens them of having their stations and improvements pounced upon.”<sup>35</sup> The papers in general held that it was a beneficent purge in that it would arouse the authorities to a realisation of the menace of the system of August, 1840.

This anticipation was realised and, when the regulations were issued (March, 1841),<sup>36</sup> they excepted land which had been previously advertised or which was within five miles of a town. Even then, Dendy chose land at Brighton, every acre of which was worth £20 even in the depressed state of the market at that time.<sup>37</sup> And before the annulling order of February, 1841, reached the colony, several other special surveys were authorised under similar circumstances. The special survey had thus proved an irritant and not a panacea of the crisis of 1841, and had acted only as an enticement to unhealthy speculation. But its failure meant the failure of the whole system, for the uniform price had reached its 'acme in the special survey.

Therefore, in August, 1841, the land system in Port Phillip was once more assimilated to that of the Sydney district, Stanley taking the opportunity to restore to the older colony the land between the rivers.<sup>38</sup> By October, 1841, then, fixed price was merely a memory in Port Phillip but it had left its mark on the young colony, for the land revenue declined 70 per cent. within one year and the land bought under the system became a drug on the market. “Land is worthless, and sheep and cattle little better,”<sup>39</sup> wrote Russell in 1843. The many

35. “Port Phillip Patriot,” 11/2/41.

36. After limitations by the Council, and protests by Latrobe and Gipps. See Latrobe-Deas Thompson, 1/2/41; Gipps-Russell, 21/2/41 and 6/3/41; correspondence in Votes and Proc., 1842, p. 22 et seq.; ended by despatch of 8/2/41 reaching Sydney, 28/8/41. See “Government Gazette,” 28/8/41, rescinding “Gazette” of 4/3/41.

37. “Port Phillip Patriot,” 8/3/41. Marked on fig. 27.

38. Stanley-Gipps, 18/10/41, “the whole of the land bounded by a line drawn from Cape Howe along the South-West boundary of the Monaro district to the head of the Murray, and thence along the Murray to the frontier of South Australia.”

39. Quoted in G. Turner’s “History of Victoria,” Vol. 1, p. 254. Cp. N.S.W. Votes and Proc., 1842, pp. 203-213 for position in 1842.

changes of system and the speculation had combined to reduce the vitality of Port Phillip to a low ebb although, from the suffering of 1839-41, a beneficial system, stereotyped by Stanley's Act (1842), emerged.

From this time onwards, the problems of Port Phillip and the Sydney district were once more identical, for, during the years of struggle the squatters had been consolidating themselves in the new colony as in New South Wales proper. They strongly opposed the assessment of 1837, waged the first struggle for pre-emption (1841),<sup>40</sup> and joined their colleagues of the Middle District in the fight with Gipps. When the colony was divided into four squatting districts (October, 1843), there were 504 stations, 60 per cent. of less than ten square miles.<sup>41</sup> Their complaints were chiefly against the inelastic nature of the system and, complaining that 16 per cent. of them held half the total area and paid only one-fifth of the revenue, they demanded a graduated scale.

But, although they denounced the 1844 regulations as "the copestone of the ruin of Port Phillip"<sup>42</sup> the agitation collapsed much more rapidly in this district than in the older colony, no doubt because of "the general prosperity" and "the extraordinary advancement" after 1846. The welfare of the district amply justified Gipps' arguments of 1844, the assessment of 1847, for example, yielding a surplus of £17,000 of which 85 per cent. came from, and was expended on, Port Phillip.<sup>43</sup> These years, with a solid financial advance and ample immigration, formed a short era of harmony between conflicting land interests, for the panic of 1843 was merely a memory, the ebullience of 1844 a source of wonderment, and the quarrels over the Order in Council (1847) a matter for the future.<sup>44</sup>

But already the conflict between agriculture and squatting was looming on the horizon and, in this interim period of unim-

40. See chapter 15, above.

41. Return handed in by Palmer to N.S.W. Committee on Land Grievances, Votes and Proc., 1844, Vol. 2, p. 175. The average station was 13 square miles, the total area being 6590 square miles.

42. Printed in "Patriot," 15/4/44, with a thick mourning border. Cp. 22/4/44; "Atlas," 31/5/45; "Geelong Advertiser," 7/6/45; "Port Phillip Herald," 3/7/45; Votes and Proc., 1844, Vol. 2, pp. 366-367.

43. "Port Phillip Herald," 10/2/46; Votes and Proc., 1846, Vol. 1, pp. 235-45.

44. "Port Phillip Herald," 27/5/45; "Argus," 4/12/46. The last struggle was over the Council's refusal to renew assessment. See "Sydney Morning Herald," 18/4/45; "Port Phillip Herald," 18/6/46; 2, 9/7/46.



portant annals, the colony was gathering strength for its third great struggle, the most bitter in Australian land history. The continuance or the breaking of "The Land Monopoly"<sup>45</sup> was the issue, Victoria (as Port Phillip became known after 1850)<sup>46</sup> the battle ground, the mining population the immediate cause.

## II.—*Moreton Bay.*

The early history of the province which was afterwards known as Queensland was more placid than that of the southern colonies and centred round the peaceful squatting occupation and the shortage of labor. Originally colonised (1823) by convicts who were to prepare the way for a farming class,<sup>47</sup> the district "slept the dead sleep of inane criminality"<sup>48</sup> and saw unrelieved stagnation until the squatters crossed to the Darling Downs in 1840. So rapidly did they come that Gipps was forced to remove the ban on free settlers (February, 1842), to send the chainmen to survey the land, to appoint a Commissioner of Crown Lands and to apply the land law of New South Wales in all its details.<sup>49</sup>

Since the colony had "been partly prepared for settlement by being heretofore a place of secondary transportation," Gipps held that the uniform price was not needed<sup>50</sup> and therefore introduced auction, the first sale (December, 1842) averaging £346 an acre and buyers being unsatisfied even at that rate. At each of the three sales which took place within the next two years the prices exceeded "the most sanguine expectations" but, since the demand was largely speculative, the colony shared in the depression of New South Wales in the early forties.<sup>51</sup>

Yet, in the *hinterland*, the squatters, the most influential section of the community, prospered,—“The sheep greatly

45. "Argus," 16/3/47; "Port Phillip Herald," 12/3/46.

46. Votes and Proc., 1850, Session 1, Act 13 and 14 Vic., c. 59; "An Act for the Better Government of Her Majesty's Colonies," 5/8/50, esp. Sections 1 and 30.

47. No freeman was allowed within 50 miles. See Oxley's report, 10/1/24; Brisbane-Bathurst, 3/2/24, 21/5/25 (Bathurst wanted a free settlement). Bourke and Goderich wanted to break it up (Bourke's despatches of 28/2/32, 3/11/32, 5/11/37. But Gipps (despatches to Russell, 1/2/41), stressed the opening work of the convicts, reverting to Brisbane's argument.

48. Coote's "History of Queensland" (1881), Vol. 1, p. 26.

49. Preparations had been going on since 1839. See Gipps' despatches of 1/7/39, 28/9/40, 1/2/41, and, finally, 31/12/42; "Government Gazette," 15/2/42 and 10/5/42. The boundary was from the sea to the watershed and north to the "Limits of Colonisation."

50. Gipps-Russell, 1/2/41, 4/5/42, 15/7/42.

51. Moreton Bay "Courier," 13/12/59.



increased on the Downs and the price for wool was good.''<sup>52</sup>— They held the first indignation meeting in the colony, to protest against Gipps' regulations of 1844, objecting however not to the increased license fee, as in the Middle District, but to the compulsory purchase of part of their runs. They obtained security by the Order in Council of March, 1847, which gave them a pre-emptive right and compensation for their improvements and which declared "unsettled" all lands save those within ten miles of Ipswich and three miles of the coast.

But these moderate regulations "were as a fierce fire" in rousing opposition to the squatters, while even they themselves objected to the ban on cultivation and to the limits placed on the carrying powers of runs.<sup>53</sup> The "Courier" fought for "agriculturists as well as sheep-farmers" while Dr. Lang and his followers held that the regulations gave predominance to one section.<sup>54</sup>

Yet, despite strictures on all sides, the regulations worked better than in the older colony and led to an ever-widening sphere of occupation. The colony outgrew the Downs and entered a stage of growth which was only to stop when "the northern magnet" of Port Essington was reached.<sup>55</sup> From 1847, towns sprang up on the Downs and the squatters pushed past the Burnett and the Fitzroy. As this occasioned new administrative subdivisions, six pastoral districts were proclaimed in November, 1848, some new, some merely old ones enlarged.<sup>56</sup>

By this time, however, the leading difficulty was the labor shortage which forced the squatter to all kinds of expedients. They agitated for a renewal of transportation; they formed a Company (1846) to bring in labor by a levy on all stock; they held numerous meetings at Ipswich (1847) and elsewhere

52. Judge Forbes, himself a squatter of '43, in *Queensland Geographical Journal*, N.S., Vol. 16, 1900, p. 53 et seq.

53. Knight's "In the Early Days," p. 217; Palmer's "Early Days in North Queensland," pp. 16-7, for standpoint of pioneer. Cp. "Courier," 20/6/46.

54. J. D. Lang's "Queensland" (1861), p. 29. Lang particularly mentioned the grip which two squatters had obtained on the site of Grafton.

55. Russell's "Genesis of Queensland," p. 28. See Gipps' despatches of 7/12/43 (doubts, despite the Council's enthusiasm), 11/11/45 (Mitchell), 5/12/45 (McIlivray's report). Mitchell's report is in Fitzroy-Grey, 9/1/47, and Leichhardt's Journal in 3/10/46.

56. Fitzroy-Grey, 1/2/49. They were Moreton, Darling Downs, Gwydir, Burnett, Wide Bay and Maranoa.

to secure Pacific Islanders; they even turned to India and China<sup>57</sup> and enthusiastically supported two projects which aimed at solving the difficulty—Gladstone's scheme of Port Curtis and Lang's emigration crusade of 1847.

The first of these was a comprehensive plan by which Gladstone proposed to start a new convict colony in the newly proclaimed "Northern Australia" (north of 26 degrees).<sup>58</sup> This would have relieved penal congestion and at the same time have provided both labor and a market for the Moreton Bay squatters. It would also open up uninhabited territory by a novel land policy which was to transform "exiles," as the convicts were called, into agriculturalists. They were to be settled on small blocks with easy terms of repayment and were to look for guidance to the larger free settlers who had holdings of 320 acres. Many elements in this scheme foreshadowed the land policy of twenty years later and the "Gladstone Colony" would have been an interesting experiment.<sup>59</sup> But it came to naught. It was attacked in the colonial press,<sup>60</sup> mismanaged by the commandant and was ended by Gladstone's successor, Grey, before it really began. Yet both Gladstone's enunciation of land policy and the concrete results of the proposal were important; for it led to the occupation of the pastoral country round Port Curtis and to the growth of a new district with Gladstone township as a center.<sup>61</sup>

The squatters, however, experienced no relief and turned to the labor proposals of their opponent, Dr. Lang, who was in England forming a "Cooksland Colonisation Company"

57. 56 Chinese shepherds came in the "Nimrod" (1847), and 100 in the "Favorite" (1850), but proved "untrustworthy."

58. "N.S.W. Government Gazette," 13/10/46.

59. For the formation of the scheme, see Treasury-Colonial Office, 10/9/45, and Colonial Office-C. L. and E. C., 18/5/46 (considering the principle of convict settlement); Gladstone-Graham, 23/6/46; Treasury-Colonial Office, 2/2/46 (looks on it "rather as an experiment than as a settled and permanent establishment"); C. L. and E. C.-Gladstone, 3/4/46 (the land system); Gladstone-Fitzroy, 8/5/46. For the scheme in practice, see Fitzroy's despatches of 7/11/46 (appointments, Barney to be commandant); 1/2/47 (failure of survey); 2/8/47 (recall and Barney's report); 23/8/47 (abandoned); 12/3/48 (cost £13,387). Barney landed on January 26, 1847, news of the revocation (Grey-Fitzroy, 15/11/46), arrived on April 15. Abandoned, because "it has now become an impolitic and needless measure." A general account is in "The Gladstone Colony" (1898), by J. F. Hogan, the first seven chapters alone being relevant.

60. E.g., by "Sydney Morning Herald"; Lowe's satires in the "Atlas" and the "Courier."

61. Fitzroy wrote that "it would be desirable to proclaim an extent of territory in the vicinity of Port Curtis as a county," thus bringing it within the "settled districts." The rush of squatters to this district is referred to in opening speech, 10/5/55.

(1848).<sup>62</sup> Neglecting the clearly expressed opposition of the Secretary of State<sup>63</sup> and without legal authority, Lang despatched three shiploads of emigrants (1849) and issued land orders to them. So that, despite the colonists who welcomed this accession to their labor supply, the colonial administration was justified in warning off the emigrants as intruders. The cost of the venture, because it was in "disregard of the regulations of the Government," was accordingly divided among the people concerned; and the attempt to introduce a new element into the land policy of Moreton Bay thus failed.

Therefore the fifties formed a period of quiescence in land matters. A division arose between the townsmen and the squatters,<sup>64</sup> the merchants having one capital, the squatters another to the north.<sup>65</sup> The district, however, led "a humdrum existence" and, owing to speculation in town holdings, "land was bought only to remain idle on the hands of the purchasers." The fierce pre-emption struggles of the South found little counterpart in Moreton Bay where there was plenty of land and where, from 1851 onwards, the stress was wholly on separation from the Sydney district.

62. Lang wanted to lease a large area of land, with an option of purchase at the upset price. For his long correspondence with the Colonial Office, see Lang-Grey, 6/7/47 (enclosed was Charter of "Moreton Bay Cotton Company," which was to pay for its land, half by emigrants, half by improvements). But this was "altogether inadmissible" (Colonial Office-Lang, 15/12/47). Then he offered to take 500 families of foreigners if allowed £18 remission for each, but the Colonial Office objected to "foreign communities" (Lang-Colonial Office, 12/11/47, and reply to 14/1/48). Next came the "Cooksland Association" to select land at £1 an acre, if 20 acres were allowed for each emigrant. But this, too, was rejected (proposal of 24/7/48, and letter of 22/8/48). Lang had the last word in a letter of 14/11/49, "Your Lordship has for three years past been virtually knocking at the gate of futurity for the President of the United States of Australia."

63. C. L. and E. C., 26/11/47; Grey-Fitzroy, 22/10/48. "We cannot see why the public should pay private individuals in land for the outlay they make in hope of getting a profit." Ultimately, the Government paid a small share of the bounties.

64. This reached its climax in the famous Stanley election of 1854 (Lang versus the squatter Hodgson), in which Lang won by one vote on a recount. In his own words, "Mr. Commissioner Democracy has ordered them off his run, and, pointing to the main Range, had said, 'Gentlemen, this is the people's boundary.'"

65. E.g., Ipswich, and especially Cleveland were the squatters' choice;—"the squatter's mistake" of Lang, the "morass called Cleveland Point" of the "Courier."



## THE OPERATION OF FREE SELECTION (3)

Fig 38.

204a

See Appendix 3.





## CHAPTER 17.—THE DEFINITION OF THE SQUATTER'S POSITION (1847-54.)

The squatters had obtained security by the Order in Council of March 1847 but the interpretation of that Order,<sup>1</sup> both as it affected the squatters and the Government, provided the leading issue in the early fifties. It was a struggle between two interests which could not be reconciled and each of which was supported by quite logical arguments. On the one hand, the stockmen held that the Order *promised* leases for a fixed period (1, 8, or 14 years) with rights of pre-emption and compensation for improvements. On the other, the Government maintained that this was conditional and that the privileges should not accrue to the squatters if they stood "in the way of the development of general population and industry." The issue in short was between a rigidly legal interpretation and social arguments, and was aggravated because both sides approached it from different standpoints.

The battle ground was Victoria where the squatters were strongest and where, owing to quarrels about the length of lease and the nature of the pre-emptive right, Latrobe refused to issue the leases. First, the Order had stipulated for leases "not exceeding" eight or fourteen years.<sup>2</sup> The Governor held that this meant anything up to the maximum period, the squatters said that the maximum was the ordinary term. Supported by a legal interpretation of the loose phraseology of the Order,<sup>3</sup> they maintained that they had an absolute right

1. The Order is in full in N.S.W. Votes and Proc., 1847, Vol. 1, 285-91, or W. Campbell's "Crown Lands of Australia" (1855), appx. 4. The preliminary source for this chapter is in the numerous pamphlets of the time; this was the great age of pamphleteering in Australia, and only the most important are mentioned.

2. See ch. 2, Section 1 of Order; "for any term or terms of years, not exceeding fourteen years in duration"; "to such person or persons as he (the Governor) shall think fit."

3. They took their stand upon a despatch in which Grey stated that "lands to be defined as unsettled, would be put out of the power of the Crown, and rendered unavailable to the public for purchase for the long period of 14 years." But this was opposed to the whole tenor of Grey's policy; and his chance identification of the maximum and the ordinary length of the lease was refuted time and again by the legal authorities. See Grey-Fitzroy, 6/8/49, and Newcastle-Latrobe, 29/11/53.

—"a definite guarantee"—for a lease of eight or fourteen years but not over that term.

Secondly, and of more importance, was the trouble over pre-emption. To the squatter, this meant the general right of buying land within his run at any term during his lease; to the Government, on the other hand, it meant a limited right of purchase at the end of the lease and confined solely to the homestead and to land not in the path of settlement. Opposing this attitude and because of differences among the law officers,<sup>4</sup> the squatters widened their claim so as to insist that the Government had "no power to sell any portion of the runs beyond the settled districts, except for public purposes." At this stage, their claims clearly became anti-social and they made a mistake in turning from equity to the bare letter of the law.<sup>5</sup>

The result was that the Government's power to sell land in Victoria was almost obliterated. "Very little country land whatever can be for the present brought forward for sale to meet the public requirements," wrote Latrobe.<sup>6</sup> One order prevented the sale of all improved parts of runs in the *settled* lands.<sup>7</sup> A legal decision held that *intermediate* lands which had been applied for on lease could not be sold and, since that included the whole of the division, this was virtually a ban on sale.<sup>8</sup> Lastly, in the *unsettled* lands, the Government's hands were tied by other decisions.<sup>9</sup> The Order in Council, therefore, had been so construed as to lock up the whole of the land.

Various means to escape from the difficulty were tried.

4. Contrast Crown Prosecutor's rejection of pre-emption (Campbell, appx. 69), with legal opinion of Plunkett (pp. 71-2), and the different standpoint of the Solicitor-General (p. 81). Contrast again the ideas of the Attorney and Solicitor Generals of the new Victoria (p. 105). The tangle amongst the lawyers could not be cleared.

5. See opposition of "Argus," 22-23/10/51.

6. Latrobe-Executive Council of N.S.W., 22/4/48.

7. Order of 17/11/47.

8. Case of Moore and Griffiths. In November, 1847, Moore and Griffiths, who held land by a license at Bacchus Marsh in the intermediate division and who had applied for a lease under the Order in Council, challenged the Governor's power to sell land on their run. The Crown Prosecutor and Latrobe denied that the squatter had any right of pre-emption during tenure, but the matter was referred to the N.S.W. officials and dragged for over a year. The legal opinion there was that the land could not be sold during the continuance of the occupation license. That is, in the transition period between the license under the old regulation and the lease under the Order, the Government could not interfere, but since no leases were issued for seven years in N.S.W., and never in Victoria, the decision really meant the closing of the intermediate or agricultural lands. A full report is in Campbell, pp. 68-92, appx. Cp. the cases of Messrs. Jefferies (1850) and of Booth and Argyle, at Kyneton, the squatters winning in each.

9. By the Clark-Coghill decision.

First, the Governor had power to withdraw lands "for facilitating the settlement of the colony" but the pastoralists claimed that this was for public purposes and that to sell the withdrawn land to farmers was a breach of the spirit of the regulations. In this connection, they were supported by the Law Officers of the Crown, who advised the Governor to concede every preemptive claim "which is not overruled by a strong public necessity."<sup>10</sup>

Another way remained. Advices from England had made it clear that the Governor could sell in the settled districts, with the result that, in 1852, the liberal members of the new Victorian Council attempted to extend the settled districts so as to include the whole of the intermediate lands. This would have thrown open all of the farming lands and would also have prevented the squatting monopoly of town sites.<sup>11</sup> But the Council, having a majority of squatting members, substituted for this a motion demanding an immediate issue of the leases promised in 1847.<sup>12</sup>

The Government turned therefore to a third device, for squatting claims over town sites at Kyneton and Moruya Bay rendered some check imperative. One clause in the Order had stated that intermediate lands—and these included the agricultural lands—could be made into reserves "for the advantage of the Colony." Latrobe was firmly convinced that it was both "in the power and the duty of the Governor to use timely foresight" and to reserve "such portions of land, whether large or small, whether adapted to the formation of towns and villages only or suitable for agricultural improvements, as the public may have a just claim to see brought into the general market."<sup>13</sup> The only alternative would be "to cripple the steady occupancy and proper advancement of the Colony" and undoubtedly the Governor was right in this. In other words, he held that the squatters should be given rights without being made the arbiters of the whole future. It was a conflict of

10. Deas Thompson-Latrobe, 17/12/50. In return, Latrobe stated "that I have been totally unprepared for this decision." See N.S.W. Votes and Proc., 1854, Vol. 1, p. 147.

11. Campbell, pp. 25-28; "Argus," 21/7/52.

12. "Argus," 20/10/52; 26/9/51; 21/7/52; de Castella, p. 35.

13. Latrobe-Colonial Secretary of N.S.W., 20/1/51; Campbell, appx., pp. 96-101.



basic principles, between the rights of the present and the needs of the future.

But there were difficulties. The law officials of the older colony were far from unanimous on the point and, after long quarrels, referred it to the new Victorian officials. These held that the reserves were for "the inhabitants generally" and could be formed only if the Governor were "convinced of an *absolute necessity*" and not merely "with a view of meeting the *prospective* wants of the community."<sup>14</sup> This interpretation was exactly what the squatters desired, for, if the needs of future development were not to be considered, their arguments were justified<sup>15</sup> and, if reserves were for lands "called for by the public," there could be no need for them, since there was "*no public* beyond the settled districts." However, the gold discoveries came at this time and fully justified Latrobe.

But, even discounting this factor, the squatters had some claim. They showed how the land hunger was overstressed and how they suffered from the delay in issuing their leases. There had been 400,000 acres of land purchased, ninety per cent. of which had never been plowed, and the Government now had the right to sell 2½ million acres when the survey was finished and twenty million acres at the end of each year of the lease. "So that with a population of 120,000, or even if it amounted to many millions, there is no just pretence," held the squatters, "for saying that there is not sufficient land at present attainable for all agricultural purposes required by the colony."<sup>16</sup>

Thus, there were innumerable cross-currents. The townsmen and the new gold population wanted sales;<sup>17</sup> the Govern-

14. Opinion of Attorney-General Stawell and Solicitor-General Barry, 12/1/52. Campbell, appx., pp. 103-5.

15. Campbell, p. 18.

16. Campbell, appx., pp. 140-2. Latrobe, in forwarding a petition embodying these facts, said, "I can take no grave exception to the view taken by the gentlemen who have signed the petition." Latrobe-Pakington, 25/9/52. On the other hand, the administrators were troubled by facts like the following. In the first seven years after separation, the population increased six-fold. In 1854, there were 114 townships; three years later, 204. More important still, in the six new agricultural districts (Talbot, Dalhousie, Ripon, Grenville, E. Loddon, Murray) the number of occupiers increased from 780 to 2,982 in two years (1856-8). See "Report of Registrar General, 1851-8." Cp. Westgarth (1853), pp. 324-5. In N.S.W. there was the same state of affairs. See Mitchell's evidence before 1844 Committee (Cowper's). The shortage was particularly acute in the Clarence, Macleay, and Moruya districts, i.e., both in the south and the north.

17. Victorian Votes and Proc., 20/7/52; "Argus," 21/7/52.

ment held that this was impossible save in the settled and parts of the intermediate lands; the squatters argued that plenty of land was available. Latrobe tried to safeguard the future and yet help the squatter, while the squatters blamed the Executive for neglect of their interests and the press blamed it for pandering to the squatters.

For the moment, however, two facts stood out—there was an immediate demand for land and the squatters were using their opportunity to obtain the best sites. The Governments<sup>18</sup> in both colonies therefore turned to the declaration of reserves as a safeguard, commencing in 1847. By the middle of 1855 a million and a half acres had been so declared in New South Wales alone,<sup>19</sup> but clearly this was only a temporary expedient;<sup>20</sup> and the Governments referred the matter to the Colonial Office. Were leases to be issued? What was the nature of the pre-emptive right? What lands could the Government sell?

The answer came in a despatch by Newcastle in November, 1853.<sup>21</sup> This interpreted the spirit rather than the mere words of the Order-in-Council and extended the principles of the Order to take into account the difficulties which had emerged in practice, the basic idea being that the Order gave security to the squatters but in no wise justified the inordinate claims which had been advanced. The conflict between “private claims and the general interest” had been unforeseen in 1847 but, since it had emerged, it was clear that the former had to give way. Thus the attitudes of Fitzroy in New South Wales and Latrobe in Victoria were justified.

18. The principle of reserves was inaugurated in Grey's despatch of 30/3/47. See Chief Secretary's letters of 12/11/47 and 20/3/48, in *Votes and Proc.*, N.S.W., 1854, Vol. 2, p. 1145; *Minutes of Executive Council*, 28/6/50, and 12/2/52 (pp. 29, 31, 34 of evidence of 1854 Victorian Commission). Cp. Fitzroy-Pakington, 23/7/52.

19. N.S.W. *Votes and Proc.*, 1855, Vol. 2, p. 148. This colony had a long fight to reduce the pre-emptive rights, even after the reserves were declared. Cp. 1856-7, Vol. 2, pp. 231 et seq. Of the reserved area, 34,000 acres had been sold by auction in small lots. In this connection, see report of Cowper's 1854 Committee, in *Votes and Proc.*, 1854, Vol. 2, pp. 1141-1269, recommending that no reserve be subject to the lessee's pre-emptive right. Note abuse of the proclamation in this regard (19/6/50), p. 1145.

20. In Victoria, there were 246 reserves of 681,000 acres up to July, 1851.

21. This despatch of 29/11/53 was an answer to Latrobe's of 3/9/52, and did not reach the colonial public until 14/3/54. Turner, in “History of Victoria,” Vol. 1, pp. 356-7, scorns this despatch, and adopts Campbell's partisan view that it was evasive and indefinite. See Campbell, appx. 144, et seq.; N.S.W. *Notes and Proc.*, 1852, Vol. 2, pp. 110-117. The crux of the despatch was that leases “were to be exempt from those conditions which are at once injurious to the public and useless for mere pastoral purposes.”

For the future, Newcastle's solution was to give additional security and advantage to those who were willing to take these leases for bona fide pastoral purposes and free from the objectionable conditions implied at the time. The squatters, that is, while not to be unduly burdened, were to be prevented from turning the instructions by a too literal reading "to purposes for which they were not intended." The squatter was to have a pre-emptive right limited to his homestead and the actual improvements, with no power of exclusive purchase during the whole term of his lease. In return, he was to have security by a lease for any number of years up to the maximum and compensation for his improvements.

At the same time, Newcastle pointed out that the Governor's powers under the Order were ample to safeguard the interests of agriculture, for he could throw open any intermediate land at the end of the year, the only condition being sixty days' notice. Curiously enough, this power, although it provided a solution for the whole difficulty, was quite overlooked until the middle of 1852.<sup>22</sup>

Newcastle's compromise therefore gave security to the squatter, land to the farmer and a safeguard of the future rights of the people. The execution of the compromise, coming as it did on the eve of responsible government, was tactfully left to "further arrangement and mutual understanding" in the colonies themselves. Consequently, the New South Wales squatters obtained their leases in 1854 and retained a good deal of their pre-emptive right beyond the homestead;<sup>23</sup> while, in Victoria, the leases were never issued,<sup>24</sup> in view of the

22. Campbell, p. 5.

23. E.g., Fitzroy-Pakington, 23/7/52, held that the Order in Council conferred a pre-emptive right to all the land in the run, "except such as it may be deemed necessary to reserve for public purposes."

24. In consequence of the report of a Royal Commission of 1854. See Victorian Votes and Proc., 1854-5, Vol. 3, pp. 291-368. The report favored "licenses, renewable from year to year" (p. 23), with a rental according to grazing capacity. At the same time, "the present territorial classification and the regulations dependent upon it" were to be abandoned and the new ones to "take effect indifferently upon all Waste Lands of the Crown throughout the Colony," i.e., there were to be no more settled, unsettled and intermediate lands. But only three of ten members supported the report in its entirety and one refused to sign it at all. Of the ten who signed it, four wanted to give further rights to the squatters and three (O'Shanassy, Fawcner, Nicholson) stressed farming rights. Forlonge (p. 40), held that the report was a "lasting disgrace." See "A Review of the Report of the Squatting Commission" (C. Macknight, 1855, 22 pp.), for an attack on the report. The historical introduction to the report itself is most valuable. For a reasoned historical account of the squatting case, see Colin Campbell's "The Squatting Question considered with a view to its settlement" (1861), 30 pp., esp. pp. 1-2. He touches the root of the

greatly augmented population. In their place, were yearly licences carrying the privileges but also limited by the restrictions which Latrobe and Newcastle had suggested. In both colonies the emphasis was by this time not on a definition of the squatter's rights but on easy selection of land by the small farmer. The conflict from 1847 to 1854 was thus the end of one period and the prelude of the fight to open the land in the sixties. In short, it marked the rise to paramountcy of the agriculturist.

matter when he says that "no one then dreamt of the marvellous change which would be produced by gold," and that this made the 1847 Order so anomalous. For the best summing up of both sides, contrast Macknight, p. 8, and Lowe's "Address to the Colonists of N.S.W. on the proposed land orders" (1847), while for the Government's position, add Latrobe's long despatch of 3/9/52.





## PART IV.

### THE PERIOD OF THE EMERGENCE OF AGRICULTURE.

1855-1884.

“We have sung the songs of the droving days,  
Of the march of the travelling sheep—  
How by silent stages and lonely ways  
Thin, white battalions creep.  
But the man who now by the land would thrive  
Must his spurs to a ploughshare beat;  
And the bush bard, changing his tune, may strive  
To sing the song of the Wheat!  
It's west by south of the Great Divide  
The grim grey plains run out,  
Where the old flock-masters lived and died  
In a ceaseless fight with drought.  
Weary with waiting and hope deferred  
They were ready to own defeat,  
Till at last they heard the master-word—  
And the master-word was Wheat.”

*Paterson : “ Song of the Wheat.”*



## CHAPTER 18.—THE TRANSITION.

In the fifties, the nature of Australian land problems changed, for a number of new factors entered. The first consisted of the new squatters who, since 1847, had obtained a permanent hold on colonial lands—a hold which was in no wise contemplated by the framers of the Order-in-Council.<sup>1</sup> Yet they had security and were attempting to convert it into monopoly.

Secondly, there were the constitutional changes which had been achieved after a long development. From the thirties onwards, when the surplus of the land revenue had fallen—rightly or wrongly—to the colonial Councils, there had emerged two conflicting views of colonial lands, the one upheld by the Secretary of State, the other by the colonists<sup>2</sup>—

“The Waste Lands of the vast Colonial Possessions of the British Empire are held by the Crown as Trustee for the Inhabitants of that Empire *at large* and not for the Inhabitants of the particular Provinces, divided by arbitrary geographical limits, in which any such Waste Lands happen to be situate.”

“The territory of a country is in reality the property of its occupiers, which the nominees of the Crown administer advantageously only as they facilitate its settlement and culture.”

Between these two views there could be no reconciliation and gradually the second was upheld. The Legislative Council in each State was allowed to draft the regulations under the 1846 Imperial Act and, though the Colonial Office amended these, it was significant that the colonists were even consulted. The control which was deemed necessary became more and more shadowy, although the land revenue, which had an Imperial aspect, was a point of contention even when self-

1. Newcastle-Latrobe, 29/11/53, “least of all was it intended that their pastoral occupation should stand in the way of the development of general population and industry.”

2. See respectively Grey-Fitzroy, 23/1/52; “Atlas,” 18/10/45.



government was conceded in 1852.<sup>3</sup> To the last it was maintained that it was clearly "a question of expediency and not of right" and that only "the new and rapidly changing circumstances" of the colony accounted for the cession of land control.<sup>4</sup>

Hereafter, the Sales Act was void, there was no longer any provision for emigration with the land fund, the last link with Wakefield was broken, and the colonies had a clean slate, excepting only that vested interests were to remain intact. In 1855, too, this privilege came into force in Victoria, South Australia and Tasmania, Queensland obtaining it in 1859 on her separation, but Western Australia not until thirty years later.

With this new squatting problem and the new power to deal with it within the colony, entered the third factor—the gold discoveries which commenced on the Turon<sup>5</sup> in the middle of 1851. The result was immediate for within a few months fields were discovered all over Victoria—at Anderson's Creek near Melbourne, at Ballarat in September, at Mount Alexander in October and at Bendigo in November.<sup>6</sup> By the end of 1853, nearly £21,000,000 of gold had been exported from Victoria and by merely scratching the surface.

Hence came an influx of adventurers from all over the world,—“fortyniners” from California and rebels from “the countries of ’48,” English plowmen and Scottish crofters, useful men and wastrels, but, whatever their nationality or occupation, thousands of men to fill the country. Within four years, Victoria's population had increased more than four-fold and kept on going up at the rate of 40,000 a year.<sup>7</sup> The

3. For reservation of immigration and land control, see Grey-Fitzroy, 30/8/50, 23/1/52; cp. Grey-Denison, 27/7/50. For concession, see Pakington-Fitzroy, 15/12/52, affirmed in Newcastle-Fitzroy, 18/1/53. For local committees, see N.S.W. Votes and Proc., 1852, Vol. 1, pp. 481-2; 1853, Vol. 1, pp. 387-97; Vol. 2, pp. 117-161. See Section 61-68 of Wentworth's proposed constitution. Cp. "Sydney Morning Herald," 2/5/51. The old control was repealed by 18 and 19 Vic., c. 56 (16/7/55).

4. Pakington's despatch of 15/12/52; N.S.W. Votes and Proc., 1853, Vol. 1, p. 392.

5. N.S.W. Votes and Proc., 1851, Session 2, Vol. 1, p. 9.

6. See "Argus," August-November, 1851, passim.

7. It is difficult to obtain reliable statistics for this period, the above account being taken from Archer's "Statistical Notes" (1835-60), and from the Registrar-General's returns, esp. the seventh and eighth census (1853, 1857). The population was 77,345 in March, 1851; 236,776 in April, 1854 (the increase being 20,000 in 1851, 71,000 in 1852, 54,000 in 1853, and 90,000 in 1854); 410,766 in March, 1857, and 530,262 in December, 1859. Cp. Archer, p. 30, for eclipse of rural population.

	Pastoral.	Agricultural.	Mining.
March, 1851 .. .. .	7,319	3,952	—
March, 1854 .. .. .	6,874	7,599	36,332
March, 1857 .. .. .	10,172	26,838	62,428

squatting dominance, so pronounced in Port Phillip, gave way to the supremacy of the urban population and Victoria became the richest and most densely peopled of all the States.

On New South Wales, the results were similar but on a smaller scale and, although the revival of the Bathurst fields in 1854 turned the stream of emigration once more to the State,<sup>8</sup> it was realised that the most certain way of deriving a profit from gold was to send stock down from the Queensland basin along the routes of the Murrumbidgee. The immediate result was to strengthen both the squatters and the town populations and to change the trouble between grazing and agriculture into an open conflict.

So also in South Australia, the gold discoveries "made a complete revolution in the squatting interest"<sup>9</sup> and caused a boom which lasted for eighteen years. The close of the period of pastoral gloom saw the occupation of the north, the squatters increasing their numbers by 60 per cent. within one year (1853).<sup>10</sup> From an agricultural point of view, the results were similar, for the area occupied was trebled and, once the fallacy that wheat could not grow beyond Gawler was dispelled, the stream of farming settlement vied with that of squatting in expanding north, south and east.<sup>11</sup> In consequence, the land problem was changed and the South Australia of 1855 presented difficulties unknown in 1851 for, in the interim, there had come a strong class of squatters, capitalist speculators in land, and a settled yeomanry.<sup>12</sup> Never before had there been such prosperity as in this "period of experiment, expansion, and adaptation" in all directions, the able Governor, Young, directing the change.<sup>13</sup>

Western Australia was scarcely influenced by the dis-

8. Coghlan, Vol. 2, p. 601, says that the population of New South Wales increased by 61,451 from 1851-6. See valuable statistical return in *Votes and Proc.*, 1862, Vol. 4, p. 853 (1821-1862).

9. J. P. Stow's "S.A." (1884), p. 156.

10. 1854-55 Report of C. L. and E. C., p. 37; Finniss-Grey, 7/4/55.

11. Aided by the influx of people from Victoria where the squatting position hindered settlement. "Victoria's plunder and loss were South Australia's salvation." Stow, p. 37.

12. In 1854, 10 million acres were under pastoral lease, 200,000 acres cultivated, and one and a quarter million alienated. This result was attributed largely to the rigid adherence to 80 acre blocks, "*la vente des terres en lots accessibles aux petits capitalistes*." J. Duval's *Histoire de l'Emigration* (1862), p. 320; Forster's "S.A." (1866), p. 119.

13. Melbourne "Argus," 2/1/55; S.A. *Votes and Proc.*, 1853, p. 248. Young especially wanted the development of the Murray. See 1854-5 report of the C. L. and E. C., p. 130, appx. 46; "S.A. Register," 4/11/50; 22/11/55; Forster, p. 73.

coveries, for the thousands of miles of spinifex desert isolated this colony. Queensland, retaining the elements of her population unaltered, changed only because of the better stock market. But Tasmania was denuded of its people, 10,000—one-third of the population—leaving within twenty-one months.<sup>14</sup> The results were accentuated, too, by the ban on transportation at this time. Thus, land laws became inoperative and ground was thrown out of cultivation. The gold discoveries meant financial ruin and stultification in land matters, just as they meant prosperity and land activities on the mainland.

When the squatting problem was thus forced to a crisis on the mainland and when the "sturdy yeomanry" became the dominant element, one other element entered the situation. Since the stress was to be on small settlement,<sup>15</sup> it was essential to be able to manipulate land easily. Land transactions had to be easy and simple and clear. Up to this time, to transfer land which had been registered by deeds was almost troublesome enough to ban transactions. With each fresh transaction, a long technical enquiry had to determine the existing rights of all parties. "Every time the property is dealt with, the ancestral lines of parchments must be re-perused and a fresh genealogical tree, under the name of the abstract, drawn at full length from the root to the last leaf of its parchment foliage."<sup>16</sup> This naturally meant "uncertainty, complexity, delay, and costliness."

In 1858, however, just when five States were considering Acts for small settlers, South Australia passed the "Real Property Act" of Robert Torrens—a change in machinery which became Australia's most important contribution in land matters to the world in general. Torrens was a young Cambridge graduate—"brilliant as a rocket"—who had become Collector of Customs in the young colony (1841) and who was

14. Denison-Newcastle, 18/6/53. From 1851 to 1853, 42,067 left the island, although the total population in 1853 was only 66,019 (16,745 bond). Of those who left, 13,166 were convicts. See Denison-Newcastle, 10/6/54; Statistics of V.D.L., 1844-53 (1856), p. 2. "The place is becoming nearly depopulated," wrote the Governor.

15. Hereafter, there was the difficult question of alienating land "on any other than simple mercantile theories of money being paid for occupancy or fee-simple." See Proc. of Royal Colonial Institute, Vol. 2, 1879-80, pp. 184-5. For general situation, see Morhange's *Etude sur l'Australie* (1862-9), p. 163 et seq.

16. R. R. Torrens' "Simple methods of land transfer," in "Discussions on Colonial Questions," the report of a conference in London, 1872, p. 56.



so impressed with the simplicity and directness of the shipping register that he conceived the idea of applying similar methods to the maze of land titles.

His remedy was extremely simple. At an official registry, the certificate of title was to be registered with all the apposite transactions appearing on the face of the certificate, so that the purchaser might see at a glance if it were encumbered or not. Mortgages and transfers alike appeared, the only difficulty being in regard to the *initial* registration. This was surmounted by the appointment of Land Titles Commissioners to enquire into previous titles and, if no impediment were found, to issue certificates. In this way, registration would be simplified, transfer facilitated and conveyancing reduced to its simplest possible terms.<sup>17</sup>

Of course, a long uphill fight was necessary to convert the idea into practice because the entire legal profession was up in arms to uphold the old traditions, especially when such sacrilege was advanced by a layman. For an outsider, a mere dilettante, arguing from *a priori* premises, to deal with real estate as if it were a chattel, "was as absurd as if a tailor were to invent a new method of cutting for fistula, or an illiterate ploughman a new method of calculating an eclipse."

But Torrens forced the Bill through the Legislature and

17. Literature on the Torrens system is perhaps unduly diffuse, so that a general consolidation, covering all countries from both a legal and a practical point of view, and yet not too technical, is a great desideratum. In particular, the degree of dependence of the Continental systems on the S.A. plan needs elucidation. See p. 209.

(a) *For the emergence of the principle.*

"Adelaide Times," 12/1/58, for typical opposition.

"S.A. Register," series of articles in 1856.

"S.A. Register," 14/4/57, explaining the measure.

Forster's "S.A." (1866) ch. 6, for the best contemporary account.

(b) *For the origin of the idea.*

See ch. 3 in Hogg's "Australian Torrens System" (1905). The idea started independently in the Second Report of the Real Property Commissioners in 1830, and was closely connected with the Roman-Dutch system of land transfer. The root idea had flourished in the German cities for centuries, and the Lutheran colonies at Klemsig and the surrounding districts in South Australia had utilised it since the founding of the colony. Registration of transfer (but not title) had also been made obligatory in the colony of Labuan in 1849, and fragments of the system were scattered throughout various countries. But Torrens, knowing nothing of these embryonic steps, consolidated their import and made one all-embracing system.

(c) *For Torrens' own explanation.*

"Simple Methods of Land Transfer" (1872).

"Handy Book of the Real Property Act" (issued in 1873).

(d) *For the extension of the system.*

In various forms, it has been applied to the following:—

AUSTRALIA.—Queensland (1861); Tasmania, Victoria and

New South Wales (1862); N.Z. (1870); W.A. (1874).

CANADA.—Vancouver (1860); British Columbia (1871);



instituted the practical machinery, thus showing that the scheme was as useful in practice as it was logical in theory. Its good points at once became manifest. It was cheap, for retrospective examination of title was no longer necessary. It was certain, for there have been singularly few mistakes under it, the average refund amounting to something like a penny per transaction. Above all, it was adaptable and has proved capable of modifications suitable for the native folk-titles of Fiji or the mediæval tenures of the Caroline-Anspach cities, for the equatorial ranches of Uganda as for the half-sections of the Canadian West. The nomads of the Algerian plains and the communal tribesmen of Papua, the shepherds of the Swiss mountain cantons and the orange growers of California alike came under the scheme, the essentials of which hold sway in the newest French colony, in Styrian folk-law and in American corporation laws.

It extends to 31 legislative units within the British Empire, to sixteen territories of the United States, to parts of Britain and, in all essentials, to an area in Europe five times the size of England. It extends over the whole belt of French colonies on the Mediterranean and, at present, campaigns are being waged to extend it in America and to introduce it in France proper.

But certain difficulties have emerged, especially regarding

Ontario and Manitoba (1875); N.W. Territories (1886); Nova Scotia (1904); Alberta and Saskatchewan (1906).

REST OF BRITISH EMPIRE.—British Honduras (1858); Fiji (1876); British Guiana (1880); Leeward Islands (1886); Jamaica (1888); Papua (1889), and later in Cyprus, Federated Malay States, Sudan, Uganda, and eight lesser sections.

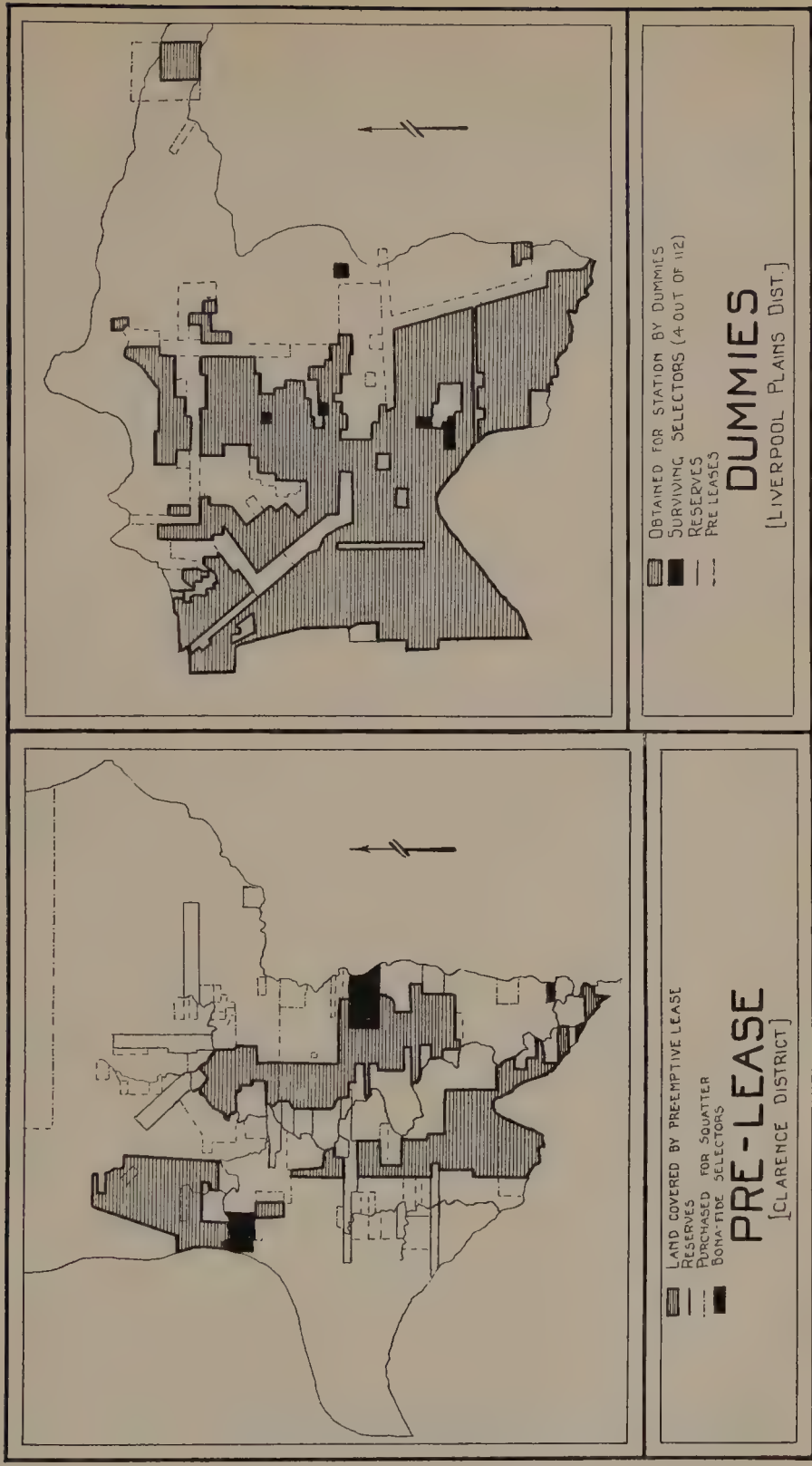
BRITISH ISLES.—Tentative steps were made in England in 1862, 1875, 1897; in Ireland in 1865 and 1891; and in Wales in 1875 and 1897. Really the Torrens influence first expressed itself in the 1897 Act which made registration compulsory in the administrative county of London and later in two other provinces.

U.S.A.—Illinois (1895); Ohio (1896); California (1897); Mass. (1898); Minnesota and Oregon (1901); Phillipines (1902); Colorado and Ohio (1903); Washington (1907); N. Carolina (1913); New York (1908), and four more.

FRENCH COLONIES.—Tunis (1884); Algeria, by Cambon.

EUROPE.—Many features, not necessarily caused by Torrens in Germany, Austria and seven cantons of Switzerland (1882).

But note that not all of these are uniform and not all have adopted the scheme in its entirety. Endless modifications have been grafted on to the scheme, e.g., in some places (N.S.W. and Ceylon) the registered owner is the only owner, but in most possessory rights can be acquired even against the registered owner (Victoria and Fiji), and in others again the title is good only against subsequent claimants. (S.A.) Also, not all have the compulsory element. The Tunisian system, for example, is voluntary, and is hedged round with qualifications. "*Ni la garantie administrative, ni la simplifica-*



THE OPERATION OF FREE SELECTION (4)

Figs. 39-40.

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See Appendix 3.



the difficulties of introduction in old countries and in connection with its variations in different States. Hence, it is more correct to speak of the Torrens systems than the Torrens system and a need for consolidation is felt. Yet, despite the unsettled state of the device at present, its simplicity and adaptability almost justify the eulogy of an American economist that "no legal or economic principle is of greater moment than the system known as the Torrens." Thus, the cogitations of a shipping master, in addition to helping the colony, became a universal legal reform.

*tion des transferts n'ont été admisés, le principe de la purge spéciale a seul passé*" (Bernard). In most places, no attempt is made to touch the title before a certain date, and, even after that, discretion is frequently allowed. Then again, this system has frequently applied only to transfer and not to registration of title.

Yet, despite the many modifications of the system, its universal nature remains its most striking attribute. This was best expressed by Sir C. Fortescue-Buckdale of the Land Registry of England, in saying that "the system is applied to vast featureless plains like the corn-growing regions of Hungary, to the busy industrial districts of Saxony and the Black Country of Germany, close to the Russian frontier, as well as to the picturesque Alpine hamlets and pastures, with their innumerable rights of way, water and complicated easements"; and finds even more spectacular ramifications in the New World. As Francois Bernard has it, "*Il se plie à toutes les transactions, à toutes les combinaisons dont la propriété est susceptible, aux plus simples comme aux plus compliquées.*"

(e) For recent literature.

F. B. Morris' "Land Registration" (1895).

C. F. Buckdale's "Land Transfer in various Countries" (1894), two general reviews.

Reports on Registration of Title in the Australasian Colonies, 1871, 1881. (British Parliamentary Papers).

W. C. Niblack's "The Torrens System" (1903); an American work emphasising the defects.

N. G. Cameron's "The Torrens System; its simplicity, serviceability, and success" (1915); articles reprinted from the "Wall Street News"; the best short account from a layman's point of view, but glosses over the defects.

Duffy and Eagleson's "Transfer of Land Act" (1890), for Australian conditions.

J. E. Hogg's "Australian Torrens System" (1905); "Registration of Title throughout the Empire" (1920); the standard texts, but very technical.

Power, Groom and Graham's "Torrens Australasian Digest" (1919), cases showing evolution of the machinery.

D. J. Thom's "The Canadian Torrens System" (1912), to show variation under other conditions.

For French conditions see an admirable article by Bernard, in *La Grande Encyclopédie*.

For France itself, Bernard quotes Yves Guyot in *Journal des Economistes*, 1882. Cp. Convent's *La propriété, constitution, estimation, administration* (1885).

For French colonies, the primary authority is *Revue algérienne et tunisienne de législation et de jurisprudence*, 1885. This deals with the introduction; for expansion, see report of the 1892 Senate Commission and the series of enquiries set down in Jules Cambon's *Le Gouvernement Général de l'Algérie* (1918), p. 98 et seq.



## CHAPTER 19.—FREE SELECTION IN NEW SOUTH WALES.

Since the agitation of Robert Lowe the movement for small settlement had been growing in New South Wales and the farmers pressed north to the river cattle runs just outside the previous limits of location.<sup>1</sup> That is, they clashed with the squatters and, especially after the distress of 1854, petitions began to ask for wider range of selection and free choice. But there was a long delay and, even after responsible government had come into operation, no land law was passed until five changes of Government and four dissolutions.<sup>2</sup> There had been preliminary skirmishes in 1856 and 1857 but the two Bills of those years merely provided scope for a debate on the question.<sup>3</sup> Until 1860, nothing was done although the question was gaining in bitterness every year.<sup>4</sup>

John Robertson, the leader of the reformers, had been biding his time. Even in 1857, his proposal had been vetoed only by the Speaker's casting vote and, during the next three years, he allowed the popular agitation and the long depression to affect his ends more surely than a parliamentary campaign.<sup>5</sup> Therefore, when he appealed to the people against the Council in 1860, he merely laid the spark for the long-prepared explosion.<sup>6</sup> Even then, the measures were passed only by a threat to swamp the Council and by the actual creation of a new Council.<sup>7</sup> New South Wales obtained free selection by a popular campaign of four years and by political

1. Under the 1848 regulations for 40 acre blocks. Mitchell-Colonial Secretary, 30/4/51. There were 213 such selections in King County alone. Votes and Proc., 1851, Session 2, Vol. 2, pp. 493-4. Cp. Sydney University Magazine, 1855, pp. 167-84 (article on "The Land Question").

2. "Sydney Morning Herald," 1/10/67.

3. The Bills were those of Manning, Hay, and Martin. See respectively, "Herald," 8/8/56, 16/1/57, 19/11/57. Cp. opening speech, 24/3/58.

4. In these years, however, the survey went on rapidly and a policy of decentralisation set in, e.g., the first local land offices.

5. "Sydney Morning Herald," 20/7/61; petitions in Votes and Proc., 1860, p. 973.

6. Prorogation after first reading, 27/9/60; reintroduced in Council, but transferred to Assembly. "Herald," 12-21/9/61.

7. For account of passage, see "Herald," 21/10/61, 26/9/84. The new members neither favored nor opposed the Bill, but passively accepted it because the alternative was in "more aggressive and dangerous measures."

pressure; and there was much to justify the view that the Robertson Acts could not "be regarded as expressions of the deliberate wisdom of the Parliament of the country."<sup>8</sup>

There were two Bills thus forced through the Legislature in October, 1861, one for alienation, one for occupation, of Crown lands. The key to the first was free selection within certain areas—the old settled and intermediate lands. Anybody could select from 40 to 320 acres within these vast limits on condition of paying a quarter of the purchase price, and residing on the land. At the end of three years, the balance was to be paid and freehold given. The outstanding feature of the plan was its simplicity, for the whole area was open, the formalities few, the terms of payment easy. But the old auction system remained intact, the reason for this not being clear.

In the Occupation Bill, the squatters were allowed to retain a limited pre-emptive right<sup>9</sup> and to have a prior claim—a "pre-lease" over thrice the area purchased. Their leases were to be yearly if within the old settled districts, five-yearly if outside. The pastoral settlement was thus along the lines of the Order-in-Council of 1847 but simplified in its operation.<sup>10</sup>

This "Agricultural Revolution which took the form of Free Selection"<sup>11</sup> was Australia's greatest experiment in land policy and, until the advent of resumption and closer settlement in the nineties, occupied the first place in land matters throughout the colonies. Its practical operation was therefore of more than temporary importance, for under its application—wholly or in part—the most fertile agricultural lands in all the colonies were alienated. How far, then, was the "Revolution" of 1861 justified?

Clearly, the outstanding fact is that, with two amendments (1875 and 1880), it remained intact until 1884. There were numerous attempts to introduce new features but during most of the period Robertson's party was strong enough to prevent this while, in the remainder, the Parkes' Ministry adopted a *laissez faire* policy. One commendable attempt

8. "Sydney Morning Herald," 1/10/61; 26/4/75.

9. Limited to one-twenty-fifth of the run. See Votes and Proc., 1861-2, Vol. 2, p. 1169, et seq., for terms in detail.

10. For operation on existing runs, see report on Crown Lands, in Votes and Proc., 1865, Vol. 2, p. 399.

11. Pamphlet by "Capricornus" (Ranken) in 1874. Robertson made opposition to his Bill tantamount to opposition to agriculture.

was that of Robertson's rival, Martin, in 1867. Martin desired a compromise by which the free selectors were to give up something, so that immigration might be furthered; while the squatters were to give a higher return for a better tenure. But the Bill was lost by its very moderation<sup>12</sup> and "more pressing matters" came to the fore until the mid-seventies.

Not till 1875<sup>13</sup> was an amending Act passed and then only after a troubled passage. The issue had been forced by "the doubtful judgments of superior courts"<sup>14</sup> in connection with selection by infants or "dummies" and, although Robertson's new Bill merely checked this evil and prevented indefinite credit, a free conference between the Houses had to be held before agreement could be reached. Save for a minor Act in 1880, this was the only change and the 1861 statutes thus remained intact for nearly a quarter of a century, despite financial troubles and despite the expansion of the colony.

But, going deeper, what were the *positive* results during these years? In the first year,<sup>15</sup> 7389 lots, covering 445,000 acres, were taken up and, in the face of bad seasons and floods (1863-5), 17,000 families were settled on the land in five years. In the same period, the cultivated land had increased from 250,000 to 460,000 acres and the number of sheep doubled. "Such results," wrote Robertson in 1867, "had never occurred before in this or any other country."<sup>16</sup>

Favored by the spread of railways, the rate increased after that date and "the continued prosperity of the colony" led to so much alienation that, by 1883, selectors had occupied 16,354,000 acres and nearly three million acres had been taken by other means. In other words the total alienation, irrespective of auction, was thrice that of the entire period before

12. The proposal to reserve half a million acres for immigrants was as good as it was novel, but Robertson objected to land being withdrawn from free selection "and being set apart for the use of Turks and others at 15/- an acre, which they did not pay in money, but by their passages to the colony." "Herald," 18-21/10/67; rejected to the accompaniment of a "series of shrieks, yells, and view halloos."

13. For attempts, see Votes and Proc., 1867-8, Vol. 1, p. 710; "Herald," 7-18/4/68; Votes and Proc., 1870-1, Vol. 1, p. 152; 1871-2, Vol. 1, pp. 13-9; 1873-4, Vol. 1, pp. 293, 567.

14. "Herald," 26-9/4/75; Votes and Proc., 1875, Vol. 1, pp. 7-8, 373; 1868-9, Vol. 1, p. 323.

15. Return in Votes and Proc., 1863-4, Vol. 4, p. 301.

16. In opposing Martin's Bill. "Herald," 11/10/67. Cp. 1880 report on Lands.



1861.<sup>17</sup> Outwardly, therefore, the Act had succeeded and the books of the Lands Department showed that new districts, especially to the north and near Gundagai, had been opened to settlers and that revenue and production had both increased.

Similar results seemed to accompany the Acts on their pastoral side. Here, there had been several improvements, notably in the method of appraisement, the mode of tendering and the arbitration machinery to settle disputes. Another gain was the new simplicity.

When the existing leases were converted, the complex mixture of a rental for the run and an assessment for the stock gave place to one inclusive rental. The rentals, too, were much lower<sup>18</sup> with the result that, by 1865, 9200 leases for 122,000,000 acres were converted. The effect of the Act in this connection may be seen by comparing this number with that of 1883, when a larger area was held by only 4300 squatters. There can be no doubt that the Acts meant prosperity to the large squatter<sup>19</sup> but, if the number of leases was halved while the area remained constant, what happened to the smaller?

These facts formed the credit side of the Robertson ledger—large selection accompanied by prosperity, favorable squatting terms and an ever-increasing land revenue.<sup>20</sup> But more and more the debit side emerged, and the question arose as to whether the gains of free selection were superficial or real. The result of an examination was that, although many people were prepared to overlook the abuses if the principle were maintained, the failure of the Acts became manifest—in their basic idea, in their

17. See detailed returns in Votes and Proc., 1885-6, Vol. 5, pp. 652-3; "Debates," Vol. 7, 1882, p. 1164.

	To 1861.	1862-1871	1872-1881	1881-1891
Alienation .. . . .	7,350,000	5,450,000	21,250,000	22,900,000
Country population .. .	189,116	77,650	54,337	66,928

(the last column is for purposes of comparison).

From 1861 to 1881, the sheep increased from 5,615,064 to 36,519,946, while Victoria's from 6,239,258 to 10,360,285, and South Australia's from 3,038,356 to 6,810,856. See graph on the Central Period.

18. Votes and Proc., 1865, Vol. 2, p. 399; 1865-66, Vol. 3, p. 206. It was for this reason that, in its later years, there was a cry that the Act meant "miserably inadequate" pastoral rents. See "Herald," 27/6/67; 1883 Committee, p. 27; Debates, 1879-80, Vol. 3, p. 2794. Despite new railways, the rent in 1878 was only £211,452, £11,525 less than in 1866.

19. "Sydney Morning Herald," 16/11/83. Cp. 3/10/61 for the use of the arbitration clauses. Robertson himself had previously given evidence in one case and had been recalled for the same case after 21 years had elapsed, and after £1 an acre had been spent. For the gain in machinery, see Rusden's Committee of 1861, in Votes and Proc., 1861, Vol. 2, p. 893, et seq.; cp. 1865, Vol. 2, p. 417.

20. See Moriarty's return in Votes and Proc., 1865, Vol. 2, p. 400.



administration, and in their results to the State, the town-dwellers, the farmers and the squatters.

Firstly, there was the general idea. Admitting that free selection was desirable, it was surely no neglect of the principle to introduce safeguards and controls. The Acts, in the words of their supporters, were "framed for honest men and not for rogues"<sup>21</sup> and accordingly sacrificed everything for simplicity, on the assumption that every person taking up land would be a bona-fide occupier. Unfortunately, however, idealism had to encounter the traits of human nature and, while a land law should not be framed for rogues, it should at least take them into account. Robertson's Acts did not do so and the administration was satisfied with a mere declaration that the conditions had been fulfilled.<sup>22</sup> There were no penalties until 1875, and even then threat of imprisonment proved ineffective<sup>23</sup> and free selection became primarily a means of evading conditions.

There were many methods of evasion,<sup>24</sup> most of them taking place openly. The Land Office could do nothing and even had to further the evasions. The most obvious device was to employ "dummies," that is, puppets to fulfil the residence conditions of the Alienation Act. This became particularly evil after 1871 and especially in the South, round Monaro. Both selectors and squatters could employ dummies but in practice the device became a means of preserving a squatter's run. On one run in the Liverpool Plains, for instance, 108 of 112 conditional selectors were acting in the interests of the station. Everything was so simple. No questions were asked. "The work was done by a clerk in a back room in the Lands Office" and consisted of the signing of a declaration by two persons who said that they had no interest in the transaction. Then, since (up to 1880) transfers could be made after a year's residence,<sup>25</sup> the "dummy" simply handed the holding to his employer.

All kinds of persons were used. In the early eighties, the exodus of asylum members to the back country caused a press

21. Debates, 1883-4, Vol. 10, p. 327.

22. "Sydney Morning Herald," 16/4/75, 19/5/75. Sir William Manning said that he had seen only one true declaration, "but it was rejected by a Minister as made by an unconscientious person."

23. "Sydney Morning Herald," 6/7/75, "to prevent dishonesty by providing that it shall not pay."

24. See series of articles in "Herald," esp. the last one, 12/4/75.

25. After 1880, it was five years; U.S.A. had eight, under similar conditions.

inquiry and it was learned that they were making mock selection as "dummies."<sup>26</sup> So too patients were being taken from erysipelas hospitals. Selections were taken for children and, in one authenticated case, in the names of unborn children.<sup>27</sup> One case in particular, *Joachim v. O'Shanassy*, attracted attention and, at the very moment when a parliamentary committee was investigating the matter, the Supreme Court was hearing a series of actions which showed "the imperfections of the existing law like flaws in an illuminated transparency."<sup>28</sup>

So manifest were these evils that the 1875 Act refused to allow selections by minors under 18; but nothing could be done with the dummies, because the Privy Council had held on appeal that "any selection accompanied by a contract for forward sale" was not a *malum prohibitum*.<sup>29</sup> Laxity of conscience kept pace with every increase in the strictness of the law and prosecutions under the penal clause failed, either because the jury disagreed or because sufficient evidence could not be collected.

The dummy selectors worked by "picking the eyes" of the country<sup>30</sup>—the vantage points so placed as to render the intervening land useless. In one case, on one of the best cattle runs in the colony, the lessee by scattering forty-acre lots along the river frontage and by obtaining 27,000 acres, rendered the whole area of ten times that amount useless to anybody else. "The whole transaction would be incredible were it not confirmed by the map."<sup>31</sup>

Such "peacocking" went on in various ways, for the squatter, in addition to using "dummies," could apply to purchase or lease land in many ways himself. He could purchase the land on which he had erected improvements. This, a concession to give justice to the squatter, was used to secure detached

26. Lyne's "Parkes," p. 418; Debates, 1883-4, Vol. 10, p. 418. Paper 1132 A of 1883-4, esp. pp. 8-9, 23.

27. This was discovered because the selector's name had to be altered. In advance it had been put down as "Francis," but, when the newcomer proved a girl, it was changed to "Frances." Debates, 1887-8, Vol. 29, pp. 3044-5; "Herald," 15/4/75.

28. Report of case in "Herald," 1/4/75, and for June, 1875, passim, esp. 7/6/75. Privy Council, Appeal Cases, 1875-6, p. 82. Other test cases were *Barton v. Muir*, *Drinkwater v. Arthur*, *Osborne v. Macalister*, 1875. "Herald," 17/6/75.

29. "Sydney Morning Herald," 16, 28/4/75; Debates, 1882, Vol. 7, p. 542.

30. C. Améro's *Les Squatters et l'Australie Nouvelle*, pp. 63-5; Marin la Meslée's *L'Australie Nouvelle* (1883), p. 238. See figs. 38 and 40.

31. See maps on free selection. Macfarland's "Monaro," p. 124; "Sydney Morning Herald," 2/10/61.

portions of the runs as outposts to guard the squatter's domain. "If there is anything more condemnatory than another," wrote a critic in 1883, "it has been sales by virtue of improvements,"<sup>32</sup> The abuse was the worse because the improvements themselves were worthless. Rough huts on wheels were moved from section to section; tanks were made in sandhills; for ringbarking, which cost ninepence an acre, the squatter obtained land worth 5/-.<sup>33</sup> The improvements became a byword and a mockery and yet the Government lost nearly two and a half million acres in this way.

A similar result was obtained by the use of "Volunteer Land Orders" which were given to militiamen and sold to squatters. The matter was no trivial one, for 400 such orders were issued yearly and the total amount claimed under them was 146,000 acres.<sup>34</sup> So also mineral leases could be applied for and "the Department had no power whatever to interfere," even though the land *could* not be auriferous. The mere application sufficed and, since the lease gave the squatter the land undisturbed for five years, there was no need even to complete the purchase. The squatters dotted such orders over their runs, one typical station having twenty-seven selections arranged in a draughtsboard fashion on land where "no minerals, not even pebbles the size of a hen's egg, were ever found."<sup>35</sup>

Still further instruments were open to the lessee, the most obvious being the "pre-emptive" or "pre-lease" which allowed purchasers to reserve adjacent land for future expansion of their holdings. The squatters obtained a priority in this regard in practice and used their right to lock up ground for themselves and to deprive selectors both of their grass and hopes of expansion. One man had as much as 20,000 acres on pre-lease and

32. "Sydney Morning Herald," 10/10/83; Debates, 1883-4, Vol. 10, p. 335; 1887-8, Vol. 29, p. 3045.

33. Debates, 1894-5, Vol. 72, p. 751. There was movable fencing, specially made in England and so constructed that two miles could be erected and taken down again in one day.

34. Curiously enough, it was revealed in the final discussion on these orders, which were for 50 acres each, that legal opinion had never been consulted as to whether a person other than the volunteer named could select with the documents. Volunteer Grants Repeal Act, 17/4/78, ended the system. See "Herald," 25/5/75; Debates, 1876-77, Vol. 1, p. 64; 1883 Committee, p. 15.

35. Within two years (1881-3), 1180 such leases were taken out for 119,750 acres of land. Debates, 1883-4, Vol. 10, p. 337. See map, Murrumbidgee No. 1, attached to 1883 report, or reproduced, fig. 33.



whole runs were taken up under this tenure.<sup>36</sup> It was both more secure and cheaper than a squatting lease. The assessment was lower and a cordon of pre-leases was the best security a squatter could have. Thus, while the pre-lease was "a mere phantom so far as the selector was concerned" it was an "effective means of defence"<sup>37</sup> to the squatter.

The run-owners also used reserves in their scheme of defence, for such areas, ostensibly for travelling stock or water, were so placed that they served the squatting interests.<sup>38</sup> If they were not so placed, the squatter merely surrounded them with purchased lands and thus obtained their use; and so open was the abuse that the Lands Department issued instructions (1866) that "reserves are not to be made for the purpose of securing to the lessee of Crown Lands the possession of particular runs or portions of runs."<sup>39</sup> Yet the evil went on unchecked.

Finally the squatter could invoke the auction clauses of the Act and buy land either along the water-frontages or scattered in the smallest blocks over a large extent of country. This was particularly the case in the seventies, when the Treasury encouraged auction as much as possible.<sup>40</sup> There were no limits on area and most of the land was sold at the upset price, two million acres of the choicest Riverina land going in one year.<sup>41</sup> Counties were bought wholesale in the South and elsewhere, where the land was not so good, in strategic points. Fully three-quarters of the Riverina went in this manner and "the uniform result of selection" in this district was that selectors sold their holdings as soon as possible. By 1883, for example, only 244 of 1424 remained and there was "little or no rural population near the towns."<sup>42</sup>

36. The squatter obtained a "pre-lease" over adjoining land to the extent of four acres per £1 of improvements, and every selector to thrice the area of his selection. *Debates*, 1883-4, Vol. 10, p. 348.

37. 1883 Committee, p. 16. See fig. 39.

38. By 1880, 2,560,000 acres were reserved from free selection, "under pretexts that these are reserves of water for public purposes." Wilson's ministry revoked some, but most remained untouched. Report of Cowper's Select Committee on Reserves, in *Votes and Proc.*, 1865-66, Vol. 3. *Debates*, 1876-7, Vol. 1, p. 282; 1879-80, Vol. 1, 94; *Votes and Proc.*, 1866, Vol. 1, pp. 155, 309, 390. See fig. 36.

39. Order of 30/1/66; cp. *Debates*, 1889, Vol. 38, p. 1518; "cases in the Dubbo district where water reserves had been made, and where not a drop of water can be found. Timber reserves are also made where you could not get sufficient timber to make a stockwhip handle. Similarly, travelling stock reserves are made where no stock travel." Cp. *Debates*, 1883-4, Vol. 10, p. 334. "The alienation branch itself does not know where the reserves are. They are only the antidote to free selection."

40. *Debates*, 1883-4, Vol. 10, p. 349.

41. E.g., a Government notice of 12/10/81 offered 12,000 acres on the proposed Jerilderie railway in one block. Cp. *Debates*, 1881, p. 1302.

42. 1883 Committee, pp. 18-19. See fig. 37, for an outstanding instance of this.



In this manner, the free selection Acts failed in principle and in administration.<sup>43</sup> Settlement under them was largely a fiction and there was a wide discrepancy between the statistics quoted and the actual state of affairs. Robertson's concessions were all abused. He allowed liberal terms, yet, in the first six years, only 7700 of 16,000 selectors remained on the land and, of those, less than 1100 paid their dues.<sup>44</sup> The result was that by 1875 they were £4,300,000 in arrears and the receipts of the Lands Department were in consequence only five times the expenses.

At the same time, there was a continual traffic in selections and, during the tenure of the Act, there were 61,651 transfers for an area of 7,800,000 acres.<sup>45</sup> With figures like these, it is easy to understand how eight sections of every nine passed from the original occupants and how 96 individuals owned over eight million acres.<sup>46</sup> "This gathers in a focus all the effects of our land system," wrote Reid<sup>47</sup> in 1883 and shows how little of the original selection was bona-fide.

Such facts were gathered by a Royal Commission (Morris and Ranken) in 1883, and, although the report was clearly biassed and the recommendations useless, the evidence revealed the failure of free selection in most of the colony.<sup>48</sup> In the old Settled Districts where the land was generally poor there was more family settlement than in the rich pastures outside.<sup>49</sup> These sterile tracts saw the selectors settling down next the old grantees and reclaiming much of the scrub and the mountain. But so bad was the land that, in eight of the thirteen counties, only half was selected, and yet the land was worked out.

But it was in the huge Central district—the richest lands

43. Other evils are stressed in la Meslée's *L'Australie Nouvelle* (1883), p. 239.

44. Robertson himself acknowledged the difficulty in this regard. "Sydney Morning Herald," 4/6/75 (end of indefinite credit), 11/10/67, 26/4/75; Debates, 1880-1, p. 376.

45. In the same period, 23,491 sales of three million acres were declared void. Debates, 1883-4, Vol. 10, pp. 333-4; Votes and Proc., 1866, Vol. 5, p. 66.

46. "Sydney Morning Herald," 5/10/83; 170,000 selections represented 18,000 homesteads. Cp. 1883 Committee, p. 32.

47. Reid's valuable criticism in Debates, 1881, Vol. 2, p. 1495. He showed that the area cultivated had decreased (1861-1881) from 7 per cent. to 2.5 per cent., that there had been no inspection of holdings until 1875, and that one individual had acquired 170,000 acres by auction.

48. "Sydney University Review," 1883, pp. 29-47.

49. 1883 Committee, p. 8.

in the colony—that the trouble occurred.<sup>50</sup> Here, from the Monaro downs in the south to the Richmond river-flats in the north, from the Yass tableland to the confines of the western desert, were the debatable lands—a huge battlefield stretching over 86 million acres. In the north and the south, there was successful settlement, though not as Robertson planned.<sup>51</sup> In New England, where sheepfarming was combined with agriculture, there was “a substantial result” and in Monaro real settlement was to be found. But in both of these, there was trouble, between the selectors if not with the squatters, although the cattlemen of the Clarence and the Macleay fought vigorously. Everywhere was the difficulty of a survey, for the original selections “lay overlapping like a pack of cards thrown on a table.” Dummying, too, was an institution, especially on the northern runs and over the Monaro tableland. For example, with 1132 selectors in part of the Gwydir district, there were only 430 homesteads and, in the Monaro, not more than one-fifth of the original selectors remained. Moreover, both in north and south the holdings were on a scale not contemplated by the Act. Two sections in the east, four in the centre, and nine in the west, were claimed as a minimum,<sup>52</sup> the average holding in the successful Bega district being 500 acres.<sup>53</sup> Even in the successful districts, there was *large* settlement.

In the remainder of the central division, the 1861 Act meant turmoil and warfare. All along the lower Murrumbidgee and the Riverina, the feud resulted in the withdrawal of the selector<sup>54</sup> and, as early as 1883, the struggle was extending towards the Darling. Here, along the dry lands of the Darling, the nature of the country made the struggle less keen and the selectors were not farmers but blackmailers who chose the waterholes.<sup>55</sup>

Free selection thus meant mixed settlement in the coastal

50. “Within its limits the great difficulties connected with land legislation had arisen, and here the problem now before the country must be solved.”

51. 1883 Committee, pp. 7-8, 10-11, 22. See fig. 41.

52. “Sydney Morning Herald,” 26/4/75; Votes and Proc., 1867-8, Vol. 1, p. 506.

53. 1883 Committee, synopsis of evidence, pp. 39-41, 15. Cp. the Monaro, where one third of the estates were from 300 to 3000 acres and one third, from three to ten thousand acres.

54. One-sixth of the Deniliquin selectors remained and those were “moving off fast.” Cp. 1883 Committee, 41-54. “The thorough utilisation of the country has resulted in the expropriation of the inhabitants.”

55. “Sydney Morning Herald,” 15/10/83; 1883 report, p. 69.

belt, a squatting triumph<sup>56</sup> in the best part of the colony and a premium on blackmail in the West. In effect, all of Robertson's anticipations were belied. He promised a large body of freeholders, an increased production, and immigration; all three declined. In the same years Victoria and Queensland had succeeded and whatever progress had been made in New South Wales was accomplished in defiance of the land laws, "by setting them aside and abusing their provisions."<sup>57</sup> A change was therefore inevitable but Robertson, now a very old man, could suggest nothing beyond a consolidation and, since he refused to help the Western squatters in their struggle with nature, he fell.<sup>58</sup> The opposition's program of safeguarded selection and security for the squatters triumphed. A crisis had come in the land history of the colony and the people realised the folly of the huge class struggle involved in free selection. Henceforth, limited selection and more and more Government control were the keynotes in land policy. Robertson's day was over.

56. "Sydney Morning Herald," 21/10/61, 12/11/61. The years of free selection correspond with the greatest pastoral prosperity, for improvement of runs and acquisition of freehold (1866 on) went on apace. This was made clear by the extension of banks throughout the country districts in this period, the branches of the leading bank increasing from eight to 62, "in all the centres of the squatting districts." Cp. "Herald," 9/4/68; Debates, 1883-4, Vol. 14, pp. 491-7.

57. See the summary in "Herald," 25/5/75.

1861: 1 farmer per 17 of population; .830 acres per head cultivated.  
1875: 1 farmer per 17½ of population; .815 acres per head cultivated.

58. See Robertson's speech in moving 1882 Bill, Debates, Vol. 7, 1882, p. 1159. The Stuart ministry which opposed this Bill, replaced the Parkes-Robertson combination, 5/1/83. At once, the Morris-Ranken Commission was appointed and reported in May of that year.

## CHAPTER 20.—SAFEGUARDED SELECTION IN VICTORIA.

In Victoria, the conditions differed from those of New South Wales because of the density of population and because both the squatters and the goldminers were much more insistent on their rights. The struggle was of necessity protracted, the more so because there was no region, as in New South Wales, where the squatter and the selector could live side by side and none, like the Darling district, to which the squatter alone could retreat. Therefore, the campaign in New South Wales was merely an agitation, in Victoria, a conflict.

There were three factors in the situation. First, there were the squatters who held 55 million acres<sup>1</sup> and who had formed a "Pastoral Protection Society" (1855)<sup>2</sup> to protect themselves against Newcastle's compromise and against the Commission of 1854. Secondly there were the new mining populations who met the squatters' cry of "Compensation" with a demand, "Unlock the Lands."<sup>3</sup> Lastly, the authorities favored the existing system of auction because it afforded a revenue and denied that an unlocking was needed because, for a population of 273,000, 520,000 acres had been sold in two years (1853-4).<sup>4</sup>

But it became evident that this alienation was not in "the interest of the great body of the colonists" and that settlement rather than revenue should be the criterion. To effect this, and to offset the shortage of farms and the rising prices, the majority of people followed the Chamber of Commerce<sup>5</sup> in sug-

1. Yet they paid for only 42 million of these, because the tax was on stock, not land. Debates, 1855-56, p. 151.

2. "Argus" (Melbourne), 11, 16/6/55; "Age" (Melbourne), 26/6/55. The society was opposed by both papers.

3. Among the numerous pamphlets favoring selection, the most important were:—

"Peter Papineau's" "Homesteads for the People" (1855), esp. pp. 12, 36. (for importance, see "Age," 30/4/55).

A. L. Kentish's "The Question of Questions" (1855), esp. p. 14.

"Life and Labor in Victoria by an Old Colonist" (1856), 24 pp. "Junius," "The Way to Wealth" (1856), 24 pp. Cp. "Argus," 28/6/55; "Age," 2/6/55.

4. 1857 report of C. L. and E. C., p. 29. Cp. 1854-55 report, p. 13. But contrast "Age," 20/7/55, 21/8/55.

5. "Report of Special Committee of Melbourne Chamber of Commerce on Waste Lands" (pamphlet, 1855). Cp. "Age," 21/8/55, for deputation.



gesting selection on easy terms within certain surveyed areas; but the two bodies of extremists, the free selectors and the squatters, attracted more notice than the moderates. The combatants were aligned in the first session<sup>6</sup> of responsible government when a complex series of resolutions decided that the squatter should not have a lease.<sup>7</sup>

But, early in 1857, the Haines ministry (Tory) came into office and introduced a bill based on the principle that the squatters were to occupy land until it was needed for agriculture.<sup>8</sup> The repeal of the Order in Council was to remove "the rights or fancied rights" claimed under it and the Government, in return for occupation certificates given to squatters was to have an untrammelled power of entering and selling runs. But the measure was opposed on all sides because it was a compromise and because it was a negative one. That is, it concentrated on the removal of hindrances rather than directly opening land for settlement and had "nothing to direct population to the soil." "The Squatter's Charter," as it was called, approached the matter from the wrong end and was "as inapplicable as the stomach pump to a hungry man." Therefore, it was mangled in the Assembly and rejected in the Council<sup>9</sup> (September, 1857), to the accompaniment of holidays and bonfires throughout the goldfields.<sup>10</sup>

At this stage, a new influence entered the situation, for, in July, 1857, the various districts sent delegates to Melbourne against Haines' unpopular Bill. These representatives formed the "Land Convention"<sup>11</sup> which, under the leadership of Wilson Gray,<sup>12</sup> became a people's parliament outside of Parliament. Gray, an Irish lawyer, who had had a long acquaintance with

6. "The land question was the lever on which the public policy would turn." Debates, 1856-7, 24/11/56-28/1/57. See especially speech by O'Shanassy, p. 162.

7. Clarke's resolutions wanted to give renewable leases at increased rentals, but the issue came to be whether there should be *any* lease. The resolutions were largely embodied in the 1857 Bill.

8. Debates, 1856-7, p. 762 et seq. Duffy said that it was "not a Bill to settle the question, but to keep things eternally as they are."

9. 1858 Report of C. L. and E. C., pp. 31-2; "Argus," 22/9/57. Rejected by 21 to 6, the determining factor being the hostility of Duffy and O'Shanassy. "Argus," 24/9/57; "Bendigo Advertiser," 25/9/57.

10. For work of "Age" in these years, see Pratt's "David Syme," pp. 86-87. The "Argus" (11/4/59), was the "*juste milieu*" between the squatters and the Land Convention. Cp. 31/5/59.

11. "After the excellent model of the Anti-Corn Law League in England." Horne's "Australian Facts and Prospects" (1859), p. 111.

12. There is a long biography of Gray in "Age," 17/7/62; cp. "Argus," 3/6/59.

the American land system, put forward a simple program of free selection and free grass.<sup>13</sup> This program, as unattainable as it was simple, became very popular and cries that the Assembly was neglecting the petitions of 70,000 people in order to favor 720 squatters gained ground. The Convention maintained its agitation and, by establishing a weekly journal, "transferred its labours from the platform to the printing office" and gained larger support. But internal dissensions<sup>14</sup> and the growth of violence ruined the organisation and by contrast made the prudent quietness of the squatters and the limited selectors stand out.

A drift set in until, in the first Parliament under manhood suffrage (1859), the Nicholson ministry, with James Service as Commissioner of Lands, replaced the Duffy-O'Shanassy coterie.<sup>15</sup> During the election, considerable attention had been directed to Buller's Canadian report (which had recommended free selection) and to the American consul's exposition of the land system in the United States.<sup>16</sup> But, since the obstructionist tactics of the Convention harmed the cause of free selection,<sup>17</sup> the Nicholson Bill, while referring the squatting question to a Select Committee, aimed at selection *after* survey with deferred payments. A pre-emptive lease was to be given over thrice the area purchased but, to prevent speculation, there was to be "a penal tax upon unimproved land." Auction for country lands was completely abolished, for the loss of revenue in this regard was "a mere bagatelle" as compared with the fostering of settlement.<sup>18</sup>

13. Their two statements were that "the country should no more rent out its grass fields than its gold fields," and that "selection was to make war upon the wilderness." See pamphlet, "Victorian Convention. Resolutions, Proceedings, and Documents" (1857), esp. Circular of 1/7/57 on p. 2. The American influence was predominant. Gray was chosen because of his American studies, and the Committee attached great importance to the evidence of a surveyor who had worked from Utah to Minnesota. The first meeting was on 15/7/57 (67 delegates), the last on August 6. Op. F. Coster's "Land System for Victoria" (1857), esp. pp. 6, 11. "Argus," 1/3/59.

14. "Argus," 9/4/59. On April 11, a "Democratic Association" was formed from its ranks. Also 2/10/59. Cp. 20/5/59, for squatters.

15. Because of their vacillation on land matters, the "Age" had withdrawn its support. Cp. censure in Debates, 1858-9, pp. 14, 485. O'Shanassy's enunciation of policy is on p. 799. "Argus," 3/2/59, 24/2/59. For his fall, see 21-22/10/59.

16. Horne's "Australian Facts and Prospects" (1859), appx. D; "Age," 14/1/60.

17. "Argus," 9/11/59, 29/10/59.

18. "Argus," 1/12/59. See "The Land Bill; being a Letter addressed to the Members of the Legislative Council by Moderation" (1860), esp. pp. 11-13, for squatter's standpoint and antagonism to the American arguments; for opposite side, see C. F. Bushfield's "The Land Bill" (1860-1), esp. pp. 20-21. For the country attitude towards selection, see "Daylesford Advocate," 15/3/60; "Ovens Constitution," 7/7/60; "Warrnambool Examiner," 22/5/60; "Argus," 14/3/60, 28/4/60.

This Bill, a happy medium between extremes, was rendered nugatory by the Council who refused a compromise three times in succession.<sup>19</sup> Finally, in August, 1860, the Nicholson ministry resigned—a fatal step because, since May “the star of the stump” had been rising.<sup>20</sup> The issue had left Parliament and gone to the mobs, to the mass-meetings and mock Parliaments and torchlight processions. Three ministries failed in rapid succession and the situation was rendered more difficult by a threat to use the discretionary powers under the old Order in Council.<sup>21</sup> This made the Council’s opposition more pronounced and this in turn brought the popular tension to breaking point. Mass meetings of people with red badges were held in the grounds of Parliament House; Graham Berry urged the masses to follow Garibaldi’s example and Wilson Gray provided the catchword by demanding for each man “a vote, a rifle and a farm—the rifle to defend his property.” It was pointed out that the soldiers were away fighting the Maoris and, urged by these impulses, the crowds invaded Parliament during a sitting of the Chamber (28/8/60).<sup>22</sup>

At once the tension was relieved. A wave of indignation literally swept the country from end to end, for the people wanted liberty, not license. The provincial papers unanimously opposed any show of physical force<sup>23</sup> and “the miserable mimicry of a Parisian *émeute*” was laughed to scorn. The result was that “a very strong conservative reaction” was felt<sup>24</sup> and little opposition to a conference between the Houses. Aided by the tactful influence of Governor Barkly,<sup>25</sup> the Council gave up its restrictions on the area of selection, the Assembly allowed the reinstatement of auction.

The Act, however, broke down immediately and, within two

19. For reasons for Council’s attitude, see “Ovens Constitution,” 5/6/60; Barkly-Newcastle, 16/1/60; “Argus,” 21, 26/7/60, 14/8/60.

20. The first meeting was on June 4. See “Ballarat Star,” 5/6/60.

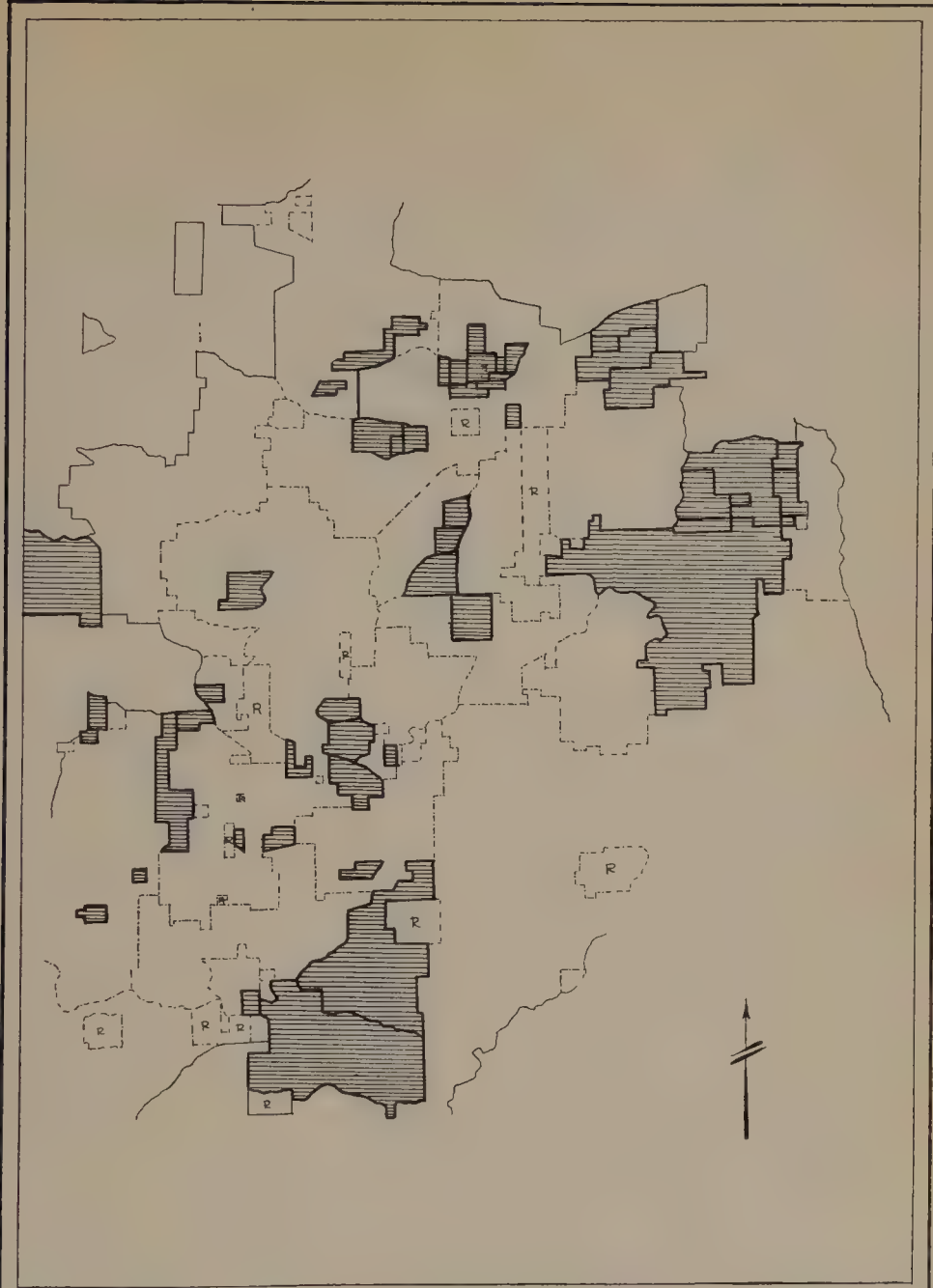
21. “Argus,” 24, 26/7/60, 8/8/60.

22. “Age,” 29/8/60. Charges by mounted police quickly restored order.

23. “Mount Alexander Mail,” 1, 3/9/60; “Ovens Advertiser,” 1/9/60; “Portland Guardian,” 31/8/60; “Mount Ararat Advertiser,” 31/8/60. Cp. Bendigo, Ballarat, Western papers—not one dissident.

24. Barkly-Newcastle, 17/9/60.

25. Enclosures B, C, to 24. “Up to the last minute, its fate hung in the balance,” wrote Barkly, who said that he was “a moderator if not a mediator.” Cp. “Argus,” 14/9/60—“after the rage of the Corner (Convention) and at the cost of one riot and a revolution (threat of Order in Council).” Parliament was prorogued, 18/9/60.



- ▨ SELECTORS' HOLDINGS ; AGGREGATE UP TO 10,000 ACRES
- - - SELECTORS IN GROUPS, FROM 220 TO 3,000 ACRES
- REMNANT OF ORIGINAL RUN.
- R RESERVES

## ACCREGATION OF SELECTIONS.

[COUNTIES OF WALLACE AND BERESFORD, MONARO DIST.]

### THE OPERATION OF FREE SELECTION (5)

Fig. 41.

See Appendix 3.





months (November 1860),<sup>26</sup> the Nicholson ministry had to give way to the popular party. Gavan Duffy, who had almost gone over to the Convention during the struggle, was advocating a uniform price and credit payments and was becoming more and more powerful.

Nicholson's Act remained in force until June, 1862, and under it 800,000 acres of land were sold, half to selectors. But, in view of the fact that only four million acres had been alienated in the previous twenty-five years, sales at the rate of 40,000 acres weekly were reckless. Four-fifths of the land sold were on the Western Plains and were undoubtedly obtained too easily. At the same time the amount of cultivation increased and even the squatters, with an area reduced by 20 per cent., gave more attention to management and to the better preparation of produce.

The land was going to the wrong class and the new democratic ministry,<sup>27</sup> with Brooke as Commissioner of Lands, resolved to overcome this by still further liberalising the law and by sacrificing its letter to the spirit. On the eve of a dissolution,<sup>28</sup> Brooke proposed that "occupation licenses" should be issued. They had previously been granted for small blocks on the goldfields; it was now the policy to extend them to agricultural land everywhere for, since personal occupation was necessary, abuse was considered impossible. Such blocks, extended from the original 20 to 320 acres, were to open the land to the poor man,<sup>29</sup> although the Convention was seeking other grievances in the city rather than leading the people to the land.

Returned once more by the goldfields vote, the scheme was introduced but clearly the means were unconstitutional. The Executive had usurped the functions of the Legislature and, by placing unwonted stress on one section of the Act (Section 68),

26. In its final form the Bill provided for auction in the "special" lands near towns and selection after survey in the "country" lands. Tucker's review in *Debates*, 1884, Vol. 25, p. 498. Details in *Gazette Extraordinary*, 1/11/60, and "Argus," 9/1/61, 22/2/61, 24/4/61.

27. "Argus," 4/1/61.

28. "Ballarat Times," 19/6/61, and "Maryborough Advertiser" for country opposition to an election on land matters.

29. "Government Gazette," 9/7/61; for increase to 160 acres, see 28/8/61. Full regulations are in "Age," 29/8/61, "a desperate disease required a desperate remedy." For Attorney-General's support, see "Argus," 3/7/61. Cp. "Portland Chronicle," 17/9/61; "Age," 1/7/61; "Argus," 18/7/61; "Sandhurst Bee," 29/9/61. For later extensions, see "Kapunda Herald" (S.A.), 14/6/72.

had nullified the remainder.<sup>30</sup> Consequently, when the O'Shanassy ministry came to power (November, 1861), the occupation licenses, which were declared illegal by the Supreme Court, were suspended.<sup>31</sup> Brooke's licenses, in a word, had offered temporary relief, but no permanent solution of the question.

Duffy, therefore, came forward with his program of limited selection on credit terms, the original scheme of 1859, and hoped that the experience of the three intervening years would allow the proposals to become law in an un mutilated form. Ten million acres were to be set aside as agricultural areas, four million to be proclaimed at once and two million to be constantly open. The squatters, who had received no attention in Nicholson's Act, were to obtain yearly licenses, with the proviso that not more than a quarter of each run was to be sold in any one year. The proposals contained nothing new but, as they embodied the experience of the troubled years since 1856, and as they were simple and practical, they met the situation.<sup>32</sup> Yet the passage of the Bill was by no means untroubled. The limitation of the squatting tenure to ten years was accompanied by an uproar in Parliament which baffled description<sup>33</sup> and the Council for a time refused to proceed with the Bill because after passing the Assembly, 400,000 acres of land on the Campaspe were restored to the squatting tenure.<sup>34</sup> Otherwise the principles remained intact and the Bill became law in June, 1862.

The Act was important because it marked the adoption of the distinctive principles which had been emerging in Victoria for a period of over six years.<sup>35</sup> Selection after survey and the conditions imposed showed that settlement, and not mere

30. In all, 878 were issued, 477 on the goldfields and 401 for agricultural land. For supersession, see "Age," 19/11/61.

31. "Castlemaine Advertiser," 17/9/61. For test of legality, see Castlemaine case, *Fenton v. Skinner*, reported in "Age," 28/9/61, 7/12/61. "It could not be contended that the Legislature after minutely describing the mode in which agricultural settlement should be effected, should have upset the whole scheme by three or four words in an obscure clause."

32. "Sydney Morning Herald," 23/12/61; "Age," 18-23/12/61. The selectors were to pay for half the land at once and to hold a lease for eight years during which the remainder was to be paid.

33. Ultimately, the date was fixed at the end of 1870. "Bendigo Advertiser," 30/12/61; "Age," 20/3/61; "Ballarat Star," 21/3/62.

34. "Age," 22/5/22, 3/6/22. For similar abuses regarding commons, see "Kyneton Observer," 14/6/22. The final area reserved for selection was 10,438,000 acres. Marked on fig. 32.

35. Even the antagonistic "Age," 25/4/62, held that it was "a vast improvement on the existing law." See report by Goyder in South Australian Parliamentary Paper, 29 of 1870-1.

alienation, was the aim, while the refusal of leases to the squatters (and of any tenure after 1870) marked the doom of the Victorian squatter.<sup>36</sup> On the other hand, the separation of selectors and squatters by a boundary made the river frontages and the water-holes in the back country safe from intrusion. In all of these respects, Victoria differed fundamentally from New South Wales, and, it must be admitted, for the better.

But, if the Nicholson Act survived for two months, the Duffy Act broke down in the first two days. The land offices were rushed but, since personal application was unnecessary, and since the decision was by lot, abuse was unchecked. Nearly half a million acres were selected in nine days,<sup>37</sup> and squatters whose runs were to be expropriated by the Act, easily secured them by false applications. A man's chance for a block depended on the number of slips he sent in, the result being that, in seven of the nineteen land offices, the Act was openly evaded and, in only one-twentieth of the land alienated, were the preliminary conditions carried out.

The law provided no redress, for the sheriff had no power to compel witnesses to attend in such matters and, although Duffy threatened to give offenders "a cropped poll and grey jacket," there was no power of imprisonment. The legal machinery could not cope with dummyism.<sup>38</sup> The result was that nearly two million acres of the best lands fell into the hands of a few persons, three squatters obtaining 50,000 acres "in open violation of the provisions of the Land Act," and another getting 20,000 on the Loddon. The 1860 Act had at least reduced the area held by the squatters, while Duffy gave them a larger percentage of the land even than before 1860.<sup>39</sup>

36. Contrast the changed position of the squatter since the situation outlined in A. Michie's "Victoria suffering a Recovery" (1860), p. 17, or Colin Campbell's "The Squatting Question" (1861), p. 29.

37. "Government Gazette Extraordinary," 9/8/62. 1,371,515 acres were thrown open in 81 areas with such names as Bally Duffy, Lough Lalor. For operation, see "Age," 16/9/62.

38. The trouble arose from the omission of the word "assigns" in the original Act. See "Age," 3/9/62; "Argus," 13/9/62. For the difficulty, see "Ballarat Star," 11-13/9/62; "Bendigo Advertiser," 12/9/62. The official organ of the Lands Department, the "Lands Circular," of 13/9/62, declared that "the Act has been violated and its spirit invaded." See advertisement in "Age," 11/11/62, for openly proclaimed dummying. Cp. Duffy's report of 1862, and "Warrnambool Examiner," 12/9/62, the latter stating that "4/- per acre was bid for the loan of a name." Even Chinamen were used. See "Kyneton Observer," 22/10/61. For the legal weakness, see "Geelong Advertiser," 17/10/62; "Age," 30/10/62, 22-3/12/62; "Argus," 25/11/62; Debates, 1869, p. 2110 and 1870, p. 663 for Duffy's own admission.

39. The percentage of the alienated land held by the squatters was 48 per cent. before Nicholson's Act, 40 per cent. under that Act, but 48½ per cent. under Duffy. In all, 1,888,000 acres went under the last Act.



Moreover, the Act practically completed the alienation of the western plains, 118 parishes being taken under it. In consequence, settlers ever since have been forced to the less hospitable Wimmera and Gippsland, this move to the outskirts necessitating the expenditure of millions of pounds for railways and irrigation in later years. Even on the western plains—"the garden of the colony"—no improvement took place, and twenty years later not one settler in fifty remained, and the ground was simply a wilderness grazing a few sheep.<sup>40</sup> To this day the effects of Duffy's Acts are to be seen, for the railways pass through unimproved lands to the farming areas further out.

But the evil went on unchecked. The Act allowed a person to select 640 acres every year and, in February, 1863, the residence and improvement clauses were withdrawn, because they were neglected by the selectors, and could not be enforced by the Courts. In 1865, however, Grant, the Commissioner of Lands in the McCulloch ministry, proposed a measure<sup>41</sup> to remove these abuses. His remedy was to make occupation *precede* alienation and to make a selector prove his bona-fides by residing on the land for three years and spending a certain amount on improvements.<sup>42</sup> In this way it would be impossible for 100 selectors to obtain 932,000 acres, as they had done under Duffy's Act. Under Grant's Act, nearly three million acres were selected, and there was clearly an improvement.

Yet, though there was much occupation under it, it still failed to eradicate the dummies<sup>43</sup> and led to further aggregation in the West. The failure of the legal machinery in this regard offset the advantages gained by the system of agricultural

40. Debates, 1884, Vol. 45, p. 499; Vol. 46, pp. 1067-8.

41. "Argus," 12/11/62. An attempt had been made in 1864 to introduce a tenure for framing graziers, but had failed. Debates, 1863-4, p. 97.

42. Debates, 1864-5, pp. 52-6, 276. £1 per acre was to be spent on improvements, £1 to be paid for freehold, the lease was for seven years but could be ended after three. Grant correctly held that the Acts of Nicholson and Duffy failed, because "both went on the principle of alienating the land from the Crown first and taking the securities for settlement after."

43. 1878 Commission, paper 72 of 1879-1880, quest. 6337, 6999. On one occasion at Inglewood, the squatters brought 300 dummies from far and wide:—

"Theirs not to make reply,  
Theirs not to reason why,  
Theirs but to sign and lie;  
Therefore to Inglewood  
Rode the Three Hundred."

licenses,<sup>44</sup> curiously like Brooke's licenses of five years before. In consequence, there was fresh legislation in 1869, and again by Grant,<sup>45</sup> by which free selection, both before and after survey, was legalised. No longer were there to be "agricultural areas" and no longer were "the squatters beyond the blue"—those in the outside districts—to be safe. Grant felt justified in this "indiscriminate opening of the Crown lands" because, since 1860, Victoria, unlike New South Wales, had arrived at a means of checking abuse. "Dummies," it is true, were still a menace, but the Minister had in his hands an instrument to check them. The temporary dictatorship of the Board of Land and Works since 1865,<sup>46</sup> and the discretionary power vested in the Minister, had sufficed to reduce the evil "within a sort of manageable compass." Grant now proposed to revert to ordinary conditions, but the knowledge that this power remained in the background would prevent a recrudescence of the evil which had ruined Duffy's Act.

For the rest, the safeguards of 1865 were to be carried further. The probation period of three years was to remain, the area of selection to be reduced from 640 to 320 acres, and a person allowed to select only once. The Bill was moderate, and based on experience, and the only real opposition was against the discretionary power which was transferred from the Board to the Governor or virtually to "the benevolent despot," Grant. The squatting portion of the Bill also passed easily, for there was no reason why the yearly leases should not be extended beyond 1870, or why the squatter should not be allowed to purchase 640 acres of his run<sup>47</sup> because the whole of his run was hereafter to be open.

44. This was the famous "Section 42" which allowed licenses of up to 80 acres. A short clause of three or four lines, surrounded by no conditions, giving no legal rights and inserted as an afterthought, it proved "the salvation of the Land Act of 1865." Within four years, 786,000 acres had been granted under it, the average being 46 acres. This was genuine yeomanry settlement, and Grant tactfully "made the Act altogether hinge upon the 42nd Clause." It filled the void left by the discontinuance of shallow digging, and, when extended to 160 acres, set up many small farmers. See J. Ballantyne's "Homes and Homesteads in the Land of Plenty" (1871), p. 85. This stopped the exodus which had been taking place to New Zealand. "Bendigo Advertiser," 29/1/63. Debates, 1867, p. 1257; 1869, p. 2108.

45. Debates, 1869, p. 944. Necessary because of Supreme Court decisions in (1) *Myles v. Macdonald*, 1869 (opposing executive); (2) *Reg. v. Taylor and Curtis* (1862), helping dummies.

46. Debates, 1869, pp. 957-63. Organised by Moore in 1857.

47. Debates, 1869, pp. 39, 1745, 2194, 2726.

This 1869 Act was perhaps the most successful in Australia<sup>48</sup> in the central period. Under it nearly eleven million acres, mostly in the mountainous country of Gippsland and the sandy plains of the North-West, were selected by 1878, and these regions were dotted over with townships. Cultivation and population increased *pari passu* with selection, and not a single large estate was increased by land taken up under this Act. It is true that "dummying" did take place at first but, after the activity of a Special Land Board in the Echuca district,<sup>49</sup> it was eliminated almost entirely.

In the seventies, however, a period of agricultural gloom set in, and many settlers were distressed,<sup>50</sup> for while Grant's Act prevented dummying and reckless alienation, its safeguards were a little too severe. A Committee of 1878<sup>51</sup> found that the long drought, "the very limited capital," and the need for improvements in the first few years, all caused hardships, and that mortgages would cause a third of the settlers to lose their holdings.

At the same time, the Committee urged that the pastoral tenure which expired in 1880 should not be renewed in any form, for there was a tendency at this time to favor a class of small farming graziers and to drive the large stockmen across the Murray. There was "an almost universal concurrence of testimony" in this regard, and a belief that the squatting lands were "almost as utterly lost to the State as if they were submerged in the ocean."<sup>52</sup>

In accordance with these suggestions, Longmore's Act of 1878<sup>53</sup> amended the original Act, preventing unproductive ex-

48. "Age Annual," 1882, p. 96; Agricultural Minutes of 1878 Commission, quest. 4848-4861; Debates, Vol. 88, 1898, p. 1192; Vol. 45, 1884, pp. 499-500; Vol. 46, p. 802. Report of Surveyor-General, 1884, for non-aggregation.

49. "Sydney Morning Herald," 5/7/75; Debates, Vol. 21, 1874-5, p. 181; Agricultural Minutes of 1878 Commission, qu. 2196-8, 2226. "Age Annual," 1874.

50. Debates, 1873, Vol. 17, pp. 1528, 1672; "Argus," 23/12/74.

51. Report in paper 65 of 1878 (agric.); agricultural evidence in 72 of 1879-80; squatting report and evidence in 73 of 1879-80. To investigate the operation of the 1869 Act and the squatting situation. They favored less burdens in the early years and an extension of the probationary period to twenty years, pp. 3-4. Qu. 2059, 2159, 3785, 4029.

52. The pastoral tenure "has created a monopoly in few hands of the sources of wealth to be derived from pastoral pursuits." The Commission wished to have small graziers in the mountain lands east of a line drawn through the Goulburn to the sea. But the matter was not mentioned in 1878. See squatting report, 1878, pp. iii.-iv., and appx. B, quest. 8608; also report, pp. x.-xi.

53. Debates, 1878, Vol. 29, pp. 605-8. License at 1/- for six years instead of 2/- for three years. See article by Surveyor-General in "Age Annual," 1881, p. 109.



penditure in the early years, but leaving the remainder of Grant's principles untouched. Hence, especially when the long drought broke in 1879, settlement went on more rapidly than ever,<sup>54</sup> and the permanent nature of the occupation under Grant's Act was vindicated. Railways and water conservation helped the farmer, the prospect of frozen meat exports spurred on the grazier. But, just when it was working faultlessly, the Grant Act expired (1880) and, owing to the constitutional struggle of Berry's time, the land issue was postponed year after year.<sup>55</sup> The natural outcome was that the north was overrun with vermin,<sup>56</sup> the pastoralists, having no tenure, would erect no improvements; and the land matters in general languished. The central period of Victoria's history, in which safeguarded selection had been achieved, thus ended in crisis. Despite this, however, Victoria succeeded where New South Wales had failed, and Grant's mode of selection was "the nucleus or basis upon which all subsequent legislation has proceeded,"<sup>57</sup> the 1884 and all later Acts merely carrying Grant's principles a stage further.

54. This was aided by an Act of 1877 which taxed lands in order "to reduce the inequality of taxation and to destroy large estates." "Age Annual," 1877, p. 80. £1/5/- per £100 over £2500.

55. E.g., Debates, 1880-1, Vol. 35, p. 1345; Vol. 37, pp. 693-5; Vol. 41, p. 2589.

56. The colony lost from £30,000 to £50,000 a year from the rabbit menace in the Mallee, and thus dearly paid for the constitutional strife. Debates, 1884, Vol. 46, p. 766. There was no precedent for such an evasion of land legislation, not even in the days immediately following 1855.

57. Best, in introducing 1898 Bill. Debates, Vol. 88, p. 1190. It is curious to note that the credit for this idea is usually attributed to Duffy, and that his Act is usually taken as a watershed. Yet in reality it merely extended Nicholson's Act, and the crucial point of occupation before title was not mooted effectively until Grant's Act of 1865. That was the keynote and it was the 1865, not the 1862, Grant's, not Duffy's Act, which was the turning point.



## CHAPTER 21.—QUEENSLAND AND THE VIA MEDIA OF GRAZING FARMS.

When the Moreton Bay district was separated from New South Wales, the squatters, contributing 70 per cent. of the revenue and nearly 94 per cent. of the exports, were "the only productive interest of the colony"<sup>1</sup> and, despite the recently increased rates of assessment, were moving north and west. The new districts of Kennedy and Mitchell had just been proclaimed, and the squatters occupied 25,000,000 acres.

But the infant colony seemed drifting towards what Governor Bowen called "the chronic blockade of the southern colonies,"<sup>2</sup> for there was a "strong and unanimous feeling" against the squatters, and the Executive Council was preparing for trouble by its complacent faith in resumption.<sup>3</sup> The first parliament, however, attacked the problem in a comprehensive manner and, if Bowen's claim that the four Acts "settled that long quarrel between pastoral and agricultural interests which has waged in all new countries since Abel" cannot be conceded, at least it must be admitted that the Acts were unique. The fresh outlook of the young English Premier, Herbert, and the practical experience of Treasurer Mackenzie, himself a squatter, combined to make the settlement both novel and politic.

More immediate of the Acts was that dealing with the squatters.<sup>4</sup> Here the aim was twofold. While the squatter was to obtain an equitable tenure, the Act was to eradicate the evil of speculation—"that speculative monopoly of pastoral

1. Statistical Report for Queensland, 1860.

2. This was aggravated by the delay and bitterness of the separation period. Denison, the Governor of New South Wales, had refused separation as "inadvisable and inexpedient", because it meant giving control to a minority, to 450 squatters who paid only £13,600 rental. For despatches, see N.S.W. Votes and Proc., 1859-60, Vol. 4, p. 961, et seq.; cp. Coote's "Early History of Queensland," p. 147, and "Sydney Morning Herald," 18/8/52. Letters patent are in "Queensland Government Gazette," 10/12/59.

3. For the position, see Journal of Queensland Historical Society, Vol. 1, p. 132, et seq. Queensland Votes and Proc., 1860, p. 571, et seq., pp. 587-8. Cp. G. Wight's "Queensland" (1862) or E. Marjoribanks' "Queensland" (1865) or Proc. of Royal Geographical Society, Queensland Branch, 1885-6.

4. Wight, ch. 7-10; "Courier," 18/9/60; leases were for 25 to 100 square miles, with a priority license for one year.

lands under which many tracts of country were withheld from profitable occupation.”<sup>5</sup> Every squatter, therefore, had to undergo a trial period, and a lease for fourteen years would issue only if the run were stocked during the year of probation. The old divisions of the Order-in-Council were swept away, and the Occupation Law was as simple as it was safeguarded.

Equally liberal, but more innovatory, was the Alienation Act of the same year. Herbert, having a clear field, started from the assumption that the land and immigration policies of the southern colonies had failed, but he was positive that no remedy lay in reducing the price, say, to 5/- an acre. That would merely play into the hands of zealots who wished to compete with Canada, and of capitalists who desired a tenant class. But since the first of these aims was as useless as the second was impracticable, and since a low price had led to “a total want of progress” in Tasmania, to Grey’s dilemma in New Zealand, and to “much land-sharkism” in Canada, it was useless for Queensland. Hence, Herbert turned to “settlement on the land on easy terms” rather than to a great reduction in price as the solution.<sup>6</sup>

The Bill was therefore based on two principles—auction at the minimum price of £1, and selection in agricultural reserves. It was the combination of these two which made the measure “an entire and salutary revolution” at the time. The reserves were not to be auctioned, but selected in blocks of 40 to 320 acres,<sup>7</sup> and the land had to be occupied and improved. Aiding this selection were various land-orders for immigrants<sup>8</sup> and bounties on produce, the whole forming a structure of supervised selection opposed to the free selection of New South Wales.<sup>9</sup>

This measure, although it required many amending Acts, inaugurated most of the land devices peculiar to Queensland. It commenced the definitely-marked agricultural reserves; it declared in favor of “small men”; its limitations prepared the way for that ban on alienation which has typified the northern

5. “*Courier*,” 19/9/60. Section 4 was the vital one.

6. Lang’s “*Queensland*” (1861), pp. 295-300, for speech in full.

7. See agricultural map of Queensland, fig. 56.

8. Ex-service men could obtain orders up to £50, and emigrants direct from Europe, £27. This gave birth to speculation, “the system of dealing and trucking in land orders.” See Bernay’s “*Fifty Years of the Queensland Parliament*” (1917), p. 310. For the other side, see H. Jordan’s “*Report of the Queensland Emigration under the Land-Order System*” (1865).

9. *Queensland Parliamentary Debates*, 1865, Vol. 2, p. 549; Vol. 5, 1867, p. 115. Cp., too, Macalister’s rapid fall when he adopted this system.

state; its strict conditions started the trend which Dutton and others carried further; it gave birth to the policy of aiding immigration, so pronounced in the ensuing decades,<sup>10</sup> and it largely achieved the ideal of expansion without speculation.

The principles of these two Acts remained intact until the new tenure of 1868 but, in the interim, there was a boom in pastoral occupation<sup>11</sup> until the financial panic of 1866 and the northern floods of 1869-70. To facilitate this expansion. Macalister's Act of 1863 codified the pastoral laws, and allowed easier terms and longer leases to "the outside districts."<sup>12</sup> But there matters stopped. Claims for pre-emption were refused as unnecessary<sup>13</sup> and, even after the sheep came in from the outside runs in the late years of the decade, there were the northern gold discoveries and Mort's freezing scheme<sup>14</sup> to buttress the legislature in this view.

The truth was that the situation had changed, and not even the "outside" squatters, the men of Stoke's Plains and the Barkly Tableland, were as important as the small settlers at this time. As the more remote squatters waxed prosperous in the ensuing two decades they were gradually enmeshed in the net of opposition which had already thrown itself around the pastoral magnates of the Darling Downs,<sup>15</sup> for the centre of gravity in the land problem had changed. One thing alone counted—"the necessity of providing areas of land suitable for cultivation by homestead selectors" (1872).<sup>16</sup> Agriculture, one form of activity amongst many in the sixties, became the leading *motif* of policy in this decade, and resumption of

10. E. Marcet's *Notice sur la Province de Queensland* (1861), p. 2. This policy extended later to Bessarabians and New Zealanders, to Mallee farmers and Rhenish vigneron. So numerous were the foreigners that, up to 1914, the "Courier" (Brisbane) published a portion of its news in German.

11. See chap. 13 (2), above. Cp. Palmer's "Early Days in North Queensland," pp. 199-202, 134-6; De Satgé on the Peak Downs: P. R. Colonial Institute, Vol. 13, 1882, p. 321; or Journal of Royal Geographical Society, Vol. 35, 1865, pp. 191-212 for documents re N. Queensland, sent by Bowen; Bowen-Cardwell, 14/9/65; Trans. of Philosophical Institute of Victoria, 1859, pp. 189-199; Proc. of Royal Society of Queensland, Vol. 19, 1904, pp. 91-104; "Sydney Quarterly Magazine," 1885, pp. 50-57.

12. Debates, Vol. 1, 1864, p. 13.

13. Debates, Vol. 3, 1866, p. 121—for the House "did not believe in persons already in debt going further into debt to become freeholders." The outside squatters obtained this right, however, in 1869-70. Debates, 1869, p. 170-3.

14. "Courier" report of meeting at Toowoomba, 4/3/68.

15. Debates, 1869, p. 303. Although the only bond between the two was said to be "the bad stock sold by the latter for the former's new runs." "Sydney Morning Herald," 12/10/67.

16. Proc. of Royal Colonial Institute, Vol. 12, 1880-81, p. 271, for extension of wheatbelt. Contrast opening speeches of 1870-1, and 1872.



runs became a practical mode of settlement instead of a remote contingency.

The small settler was at this time in a difficult position, owing to the inroads of the squatter and to the restrictive conditions<sup>17</sup> of 1860 and 1863. To reconcile these conflicting interests and to stop the drift, Queensland evolved a compromise—the famous *via media* of 1868—which was for long the envy of the southern states. The new tenure was for settlers who were half farmers, half graziers, and was to be a barrier between the free selectors, on the one hand, and the large squatters on the other.<sup>18</sup> Introduced by Macalister, it was given a constructive form and carried through by his rival, Mackenzie, although it was as a result of the deliberations of both parties in the committee stage that the compromise was arranged (1868).<sup>19</sup>

In addition to the midway class of “grazing farmers,” other classes were provided for in this Act of 1868, which divided the land into three classes, and which had variation with local conditions as its keynote. Even the squatter was considered, and here again the solution was novel. If a squatter voluntarily gave up half his run he could obtain, as a *quid pro quo*, a ten years’ lease for the other half, and a pre-emptive right over 2,560 acres. This was the measure which introduced a completely new class of settlers,<sup>20</sup> which brought into popular parlance the words “selector” and “selection,” and which first provided adequately for Agricultural Homesteads or, really, closer settlement blocks. It was an Act which, although complex, was twenty years in advance of the legislation of the other Australian colonies, and embodied the provisions which they adopted piecemeal during the eighties.

17. E. B. Kennedy’s “Four Years in North Queensland” (1870), pp. 2-3. Cp. Debates, Vol. 2, 1865, pp. 321, 549; Vol. 3, 1866, p. 678. Such conditions, aimed at the prevention of speculation, merely harmed the genuine settler.

18. Macalister made a mistake in trying to couple this with free selection, and paid for it with the loss of office. Debates, Vol. 5, 1867, pp. 316-9, 774. For passage, see Vol. 8, pp. 321-2, 397-8.

19. The classification was a new one:—

Agricultural land .. .. .	15/-	40-640	acres.
First class pastoral .. .. .	10/-	80-2560	„
Second class pastoral .. .. .	5/-	80-7680	„

For a collection of photographs clearly showing the difference, see R. Daintree’s “Queensland” (1871), esp. Nos. 1-4, 10-16.

20. See pamphlet by “Capricornus” reprinted from the “Sydney Morning Herald,” 1874. “The Queensland Act of 1868 is perhaps proving, more fully than any other legislation in Australia, the possibility of reconciling grazing with the existence of population. It is remarked that, in the districts where this Act has come into force, that a substantial class of grazing farmers is springing up, equally distinct from the selectors of the other colonies and from the squatters.”



Unfortunately, faults of administration and the inherent weakness of the Act soon caused trouble. Even its framers admitted that "the returns were not so great as expected financially," while the area for homesteads was too small and the conditional purchase clauses led to "dummying," which in turn caused the exclusion of the real "homesteader."<sup>21</sup> By the time of the 1874 amending Act, this breakdown was in many ways apparent. There had been 9,000 selections over an area of more than three million acres, but of that, half had been taken up by 267 persons, and of them in turn only 90 were free agents independent of the squatters.<sup>22</sup> The Act had meant alienation, but not settlement, and, in the seventies, the stress was consequently on resumption and the prevention of "dummying."

This did not detract, however, from the success of the *via media*, for it was in the nearer districts that the Act caused trouble. There, the shortage of good land was becoming so pronounced that compulsory resumption was mooted again and again. First proposed for the Lower Burnett and Wide Bay districts,<sup>23</sup> it was soon extended to the Darling Downs, where there was congestion in the selectors' portion, monopoly in the squatters' half.<sup>24</sup> Two diametrically opposite arguments emerged. To the squatters, resumption was repudiation, and "a great injustice perpetrated on the runholders under the guise of law," but, on the other hand, Murray-Prior and the executive held that "the squatter held his run only until the population drove him onward"—the age-old question. It was a conflict between the inviolability of State contracts and "the greatest good of the greatest number," and it was only natural that the squatters in the Council should adopt a "die-hard" attitude, and that a complete *impasse* should be reached (1874).<sup>25</sup>

21. This was aided by the upward tendency of the classification system. "Second class land was not in existence. Even on the highest ridges and stoniest peaks, second class land was entitled first." A. Carr's "Where Not to Emigrate; Queensland as it is" (1870). But later this became reversed, and the elaborate system came to mean that second-class land was alienated in the lowest grade. See report of Under Secretary of Lands, in Votes and Proc., 1875.

22. Especially stressed by the Darling Downs correspondent of the "Courier," 1874. Cp. Debates, Vol. 16, 1874, p. 535.

23. Debates, 1871-2, Vol. 13, pp. 108-110.

24. Thompson's Bill of 1872, proposing to take 10 square miles from all runs in the Downs and the two Moreton districts—thus "it does not propose to sacrifice one squatter to save his neighbors." Debates, Vol. 14, pp. 808, 863. "Courier," 16/7/74.

25. The Council rejected both the Bill and a resolution to the same effect. "Courier," 6/5/75, and *passim*. The papers stressed the fact that "there was a very considerable demand for land, in almost every land agent's district."

But the need was so manifest that, in 1875, the squatters had to give in,<sup>26</sup> and during the next two years there emerged a regular formula for effecting such resumptions.<sup>27</sup> The Assembly would initiate proceedings by passing a resolution and submit it to the Council which, before concurring, would appoint a committee to inquire into "the policy and justice" of the resumption proposed. At first the Council attempted obstructionist tactics by considering each estate *seriatim*, but soon resumption became merely a departmental incident, dependent on a formal vote of the Houses.

In the interim, the resumption campaign and the grazing inducements offered to homesteaders had played havoc with the runs in the settled districts and, in 1878, when the leases expired, the question of a renewal arose. This was settled by Douglas' Act of 1876, which decided that some occupant, not necessarily the previous squatter, was to remain "until the land is absolutely taken up for settlement." The tenure was to be a very flimsy one,<sup>28</sup> and the runs were subject to selection over the whole area. Moreover, the new occupant was to be determined by auction, for the Assembly would recognise the rights of the existing squatters neither *per se* nor as "a matter of public policy."

Fair as auction seemed to be to the newcomer, it broke down in practice.<sup>29</sup> Partly as a result of bad squatting seasons, more in consequence of the faults of the Act, "the result was in every way unsatisfactory" and, by 1882, after the three years of drought, only 172 runs remained in the six settled districts. Seventy-nine had been forfeited, and over 30,000 square miles were vacant. The trouble was that the Act was inelastic, and provided no alternative if auction failed to result in occupation.

Accordingly, in 1882, the McIlwraith ministry reversed

26. Debates, 1874, Vol. 16, pp. 550-3, 590-1 for the arguments.

27. Debates, 1875, Vol. 18, pp. 87, 212; "Courier," 18/10/76 (2,761,000 acres); 24/5/77 (9922 acres); 8/8/77 (Port Curtis), 27/9/77, and extensive resumptions along the Central Railway, 1879.

28. There were to be renewals for five years, but only on a grazing tenure, that is, with no pre-emptive right and no compensation for improvements. The previous leases had been issued for 10 years under the 1868 Act. Debates, 1876, Vol. 20, pp. 485-95; Vol. 21, pp. 1286 on.

29. The prospect of auction every five years prevented improvements and led to blackmail by "auction-room loafers." Debates, 1881, Vol. 35, p. 712. While 9050 square miles were let, 34,795 were either vacant or forfeited, the loss of revenue amounting to nearly £70,000 a year. In the Bourke and Cook districts, not a single run was occupied.

this policy,<sup>30</sup> and despite complaints that this meant a "squating-in-perpetuity" tenure, allowed a right of renewal and a longer term. That is, by the early eighties, the resumption and renewal fights had determined the position of the inner squatters.

In the same period, a series of experiments with regard to the homestead idea had developed.<sup>31</sup> Another Act of Douglas (1876) removed the unwieldy classification of 1868 and replaced the three nominal prices by one upset rate.<sup>32</sup> Two classes of settlers were clearly distinguished, the larger, "conditional purchasers," who bought at auction, and the smaller and more important "agricultural homesteaders," who alone could select in the Darling Downs—the "garden of the colony"—and who had to pay only one-fourth as much as the conditional purchaser.<sup>33</sup> It was only after a prolonged struggle that this measure was placed on the statute book, for the Council stood firm for the squatter and the larger purchaser, while the Assembly put forward the conflicting claims of the small homesteader.<sup>34</sup> After it became law, however, there was a lull for eight years, just as after the Macalister Act of 1868, but it became evident that the new measure, while being far from a solution of the land question, was yet a better Act than its predecessors.

Douglas' Act was primarily a homestead measure, and there can be no doubt that it led to much settlement, the more evident because these were the years in which railways were pushed towards the agricultural districts.<sup>35</sup> "In almost every district, settlement is advancing," said a report of 1881;<sup>36</sup> huge sugar areas were taken up; there was a rapid influx of popula-

30. After an attempt in 1881. "Courier," 20/9/82, and Debates, 1882, Vol. 37, p. 509, for passage. The tenure was extended from five to 10 years.

31. By 1876, there were six Acts in operation. The chief changes had been to double the area of homesteads in 1872, and again in 1875 (640 acres). Debates, 1875, Vol. 18, pp. 311-318.

32. The three nominal prices were 5/-, 10/-, 15/-, the actual one, 4/-.

33. The homesteaders could obtain 80 acres in the "homestead areas" or 160 acres outside; the conditional purchasers from 640 to 2560 acres at an upset price of 10/-.

34. "Courier," 4/11/76. The Council gave up its old plea of compensation for squatters when the Assembly allowed the conditions of the large purchasers to vary with the price.

35. E.g., the Railway Reserves Bill (1876), reserving 50 miles on each side of railways. Cp. the Western Railway Act of 1878. Debates, Vol. 26, p. 1384.

36. Debates, 1881, Vol. 34, p. 2; cp. "Courier," 13/6/79. But contrast articles in "Toowoomba Chronicle" for first half of June, 1877.



tion; and the very lapse of legislation for a decade, especially in Queensland, testified to its success.

But, as was to be expected, trouble arose, especially in connection with the Darling Downs.<sup>37</sup> Railways were so manipulated as to enhance the value of the squatters' holdings, and as a result of unchecked "dummying," intending settlers found that "they had to go into the prairies and waterless ridges."<sup>38</sup> To meet this evil, the energetic McIlwraith ministry adopted a new expedient, allowing squatters to exchange their holdings on the Downs for larger runs further in the interior beyond the Condamine.<sup>39</sup> Since these lands had cost the Government the equivalent of £3 an acre, it would have been both prodigal and fruitless to have thrown them open at the conventional 2/6 an acre, and Perkins, a member of a squatting ministry, therefore proposed to accommodate a new class—merchants of Queen Street, the successful miner of the Palmer, the squatter from the Barcoo, the disappointed selectors of Dalby, or any who wished to obtain land without residential qualifications, and fairly large in area.<sup>40</sup> The experiment was successful, and this device of exchanged lands merged into the re-purchase for closer settlement of later years.

But similar remedies could not be devised for the other weaknesses of Douglas' Act of 1876, the restrictive condition in particular militating against settlement and causing seven relief bills in as many years.<sup>41</sup> This, coupled with the "shameful evasions" by speculators, led Dutton to declare that "the American homestead clauses" were the greatest failure of the Act.<sup>42</sup> However this may be, there was not the slightest doubt that the auction principle broke down for agriculture as it had done for pasture, and everywhere land under "the conditional purchase" regulations fell to the station proprietors—9,000 acres of the Cecil Plains going to one squatter, 75,000 acres at Felton to another, and 100,000 acres of the best Roma lands

37. Amplified in *Debates*, Vol. 23, 1877, p. 267; Vol. 26, 1878, p. 865; Vol. 29, 1879, p. 2.

38. Groom in *Assembly*, 1877. See "*Courier*," 15/6/77. Cp. the "*Chronicle's*" reference to the surprise of two Canadian commissioners at "the deserted railway stations of the Downs."

39. The Douglas ministry commenced this policy by obtaining over 20,000 acres of the best Allora lands, under Section 69 of 1876, and the new ministry had to deal with them. *Debates*, Vol. 29, p. 622. See "*Telegraph*," 18-25/9/79, for later stages.

40. "The Exchanged Lands Bill," 1879.

41. "*Sydney Morning Herald*," 8/7/76; "*Courier*," 25/8/82.

42. *Debates*, Vol. 43, 1884, p. 523.

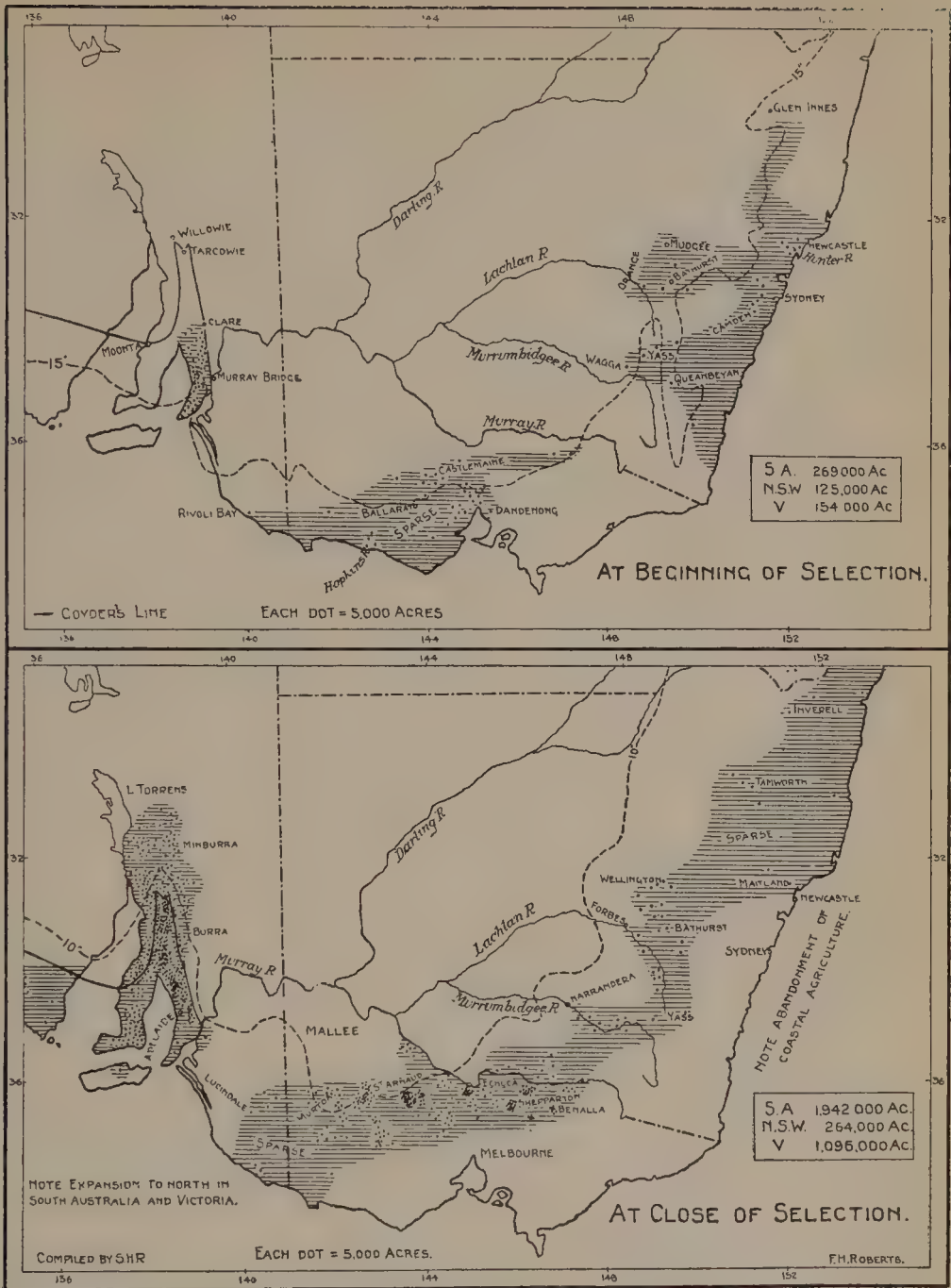


to two more. It was no wonder, then, that in 1884 only 1.68 per cent. of the land held was cultivated.<sup>43</sup>

By 1884, Queensland's position was clear.<sup>44</sup> The positions of the inner squatter, the farming grazier and the selector—the last two peculiar to Queensland—had been defined, and particular success had been attached to the homestead plans and the exchange of lands, both in advance of their time. But, if the principles of the 1868 and 1876 Acts had succeeded, their details had failed; and the breakdown of auction, the severity of the restrictions, and the opening for monopolists all needed attention. Queensland had become noted for the range of her experiments, many of them successful, all with good qualities. The State had gone far in land matters.

43. Debates, Vol. 20, 1876, p. 571; "Courier," 27/8/83; cp. A. J. Boyd's "Queensland" (1882), ch. 11, for withdrawal of underpriced lands which had led to speculation in the Peak Downs and a waste of the sugar lands north of Rockhampton. "Government Gazette," 19/10/81.

44. Pugh's Almanack, 1884, for a statistical view of the growth since 1860. Note especially the increased alienations culminating in 1882, and the failure of cultivation to keep pace with this.



# DISTRIBUTION OF WHEAT: 1860 AND 1884.

Figs. 42-43.



## CHAPTER 22.—SOUTH AUSTRALIA AND GOYDER'S LINE.

In South Australia, this period opened with an agitation which served to define the position of the various interests as they had been strengthened and changed by the gold discoveries. For nearly ten years, the assessment (1857-62) and renewal (1862-66) problems attracted notice. It must be remembered that, in this State, the squatters had no rights of renewal or pre-emption, and that the general policy was to keep them from locking up the land, and to encourage them to become owners.

The deciding fact was that the industry was thriving and expanding, especially after Goyder, the Surveyor-General, found that the Torrens country was good pastoral land, and not "arid sands and saline deserts,"<sup>1</sup> as formerly supposed. The wool exported at this time nearly equalled the return from agriculture, and the squatters occupied 24,000 square miles at an average of a farthing an acre.<sup>2</sup>

The Government maintained that this arrangement, as fixed in 1851, was inadequate,<sup>3</sup> and, in 1859, proposed an assessment on stock in addition to the rental, the idea being that the squatters "should contribute equitably in proportion to the advantages they received." In defiance of a Select Committee and of the arguments that this was a breach of faith, the Assembly, of whose 36 members only one was a squatter, carried out the project,<sup>4</sup> accompanying it with a right of renewal and re-classification. The squatters, in short, obtained security in return for higher payments.

1. "S.A. Register," 27/6/57, 30/6/57.

2. "S.A. Register," 30/4/57.

3. A conservative Act of 1857 had merely re-enacted the previous conditions. See regulations in "Register," 19/12/57.

4. Debates, Vol. 2, 1859, col. 256, et seq.; "S.A. Register," 11/10/58, for arguments pro. and con.; the squatting contention was that "The Government had no doubt made a bad bargain, but it had been done, and they should abide by it"; Paper No. 95 of 1858, for report of Committee (see "Register," 8/11/58); for squatting view in full, see petition of Pastoral Association in Paper 153 of 1864, and questions 808-810 of 1864 Committee; Debates, Vol. 10, 1865-66, col. 812; cp. "Register," 9-10/12/58; 20/11/58.



This Act, however, proved inequitable in its incidence,<sup>5</sup> and provoked trouble from the beginning. All kinds of questions arose under it. When it was decided that only one renewal was implied in the compromise of 1859, the matter of re-valuation came to the fore.<sup>6</sup> Goyder valued the runs, but, unfortunately for the squatters, there had been a succession of good seasons—"there was waving grass on Boolcunda."<sup>7</sup> The valuation was in consequence unduly high and, since this was the period of inflated hopes in the North, based "upon an entirely erroneous estimate of the carrying capabilities of the runs."<sup>8</sup> But public opinion was excited against the prosperous squatters and, "unable to withstand the popular decision," the Government upheld Goyder's valuation, and despite expert evidence to the contrary, threatened to cut the runs up if they were not taken at Goyder's price.

The result of this popular pressure was disastrous. When more and more hundreds were declared, and when the squatters were refused a right of purchase at public sales,<sup>9</sup> no less than 15,156 of a total of 64,369 square miles of pastoral land were abandoned in four years (1861-4). Then came the drought from 1864 to 1869 and, especially to the north of Mount Remarkable, the saltbush was almost destroyed and "the fearful appearance of desolation" far surpassed that of "the deserts of Arabia and Egypt." In the whole of the north the runs were bleak and useless, more so in the newly occupied bed of Lake Torrens than elsewhere. Within a year, 235,000 of 270,000 sheep perished, and the cost of water-carriage went up more than fourfold.<sup>10</sup>

5. Because the maximum number on which the assessment was based frequently exceeded the carrying power of the run. Hence Acts of 1861-2 took into account grazing capabilities as well as area, and, in 1862, a zone system, with various assessments in each of the three districts was introduced. Lastly, a protest tribunal was instituted in 1862, the much vaunted "simple machinery" of 1858 thus failing. Report of Select Committee, 4/9/60; Debates, 1859, col. 581; 1861, p. 97; 1862, pp. 43, 945.

6. Goyder was of fundamental importance in the land policies of this period. He assessed the runs and left a record of individual stations (raw material for an intensive study of squatting at its apex) unparalleled in Australia. He divided the country into agricultural regions and drew "Goyder's Line of Rainfall," astonishingly correct in its division of the province. He reported on the various Victorian systems (1869) and successfully surveyed the Northern Territory. He did much to pilot the province over the transition period when agricultural requirements were becoming dominant, his rainfall line, his strict assessment, and his opposition to free selection being potent factors.

7. 1888 Debates, col. 382; 1864 Votes and Proc., pp. 97-8; "Register," 29/9/61; Forster's "S.A." (1866), pp. 342-3; Debates, 1865, col. 371.

8. Votes and Proc., 1864, p. 103, for Daly's favorable reply to the squatters; cp. Assembly paper, 103x of 1864; legal opinions in 107 of 1864; report of select committee, adverse to Goyder, in paper 213 of 1864.

9. Question 1801 of Council's 1864 Committee.

10. Report of Commission on Northern Runs, 1865, pp. 3-5; "Register," 27/6/67, 27/1/66; paper 138 of 1864.

For long, the anti-squatting Government held that relief proposals were "monstrous" (1865),<sup>11</sup> but remedial legislation became inevitable. In 1866, the squatter of the north could obtain either a longer lease or a lower rental, but even this did not suffice. By this time "the cry of squatter and anti-squatter was no longer heard," for the issue at stake was the very existence of a national staple—"whether the North shall be kept in occupation, or whether it shall once more become an untrodden desert," as it was when Eyre first saw it twenty-seven years before. So perceptible were the evils, accompanied as they were by a tightness of money that a rental in proportion to the actual stock was substituted for the old fixed rate (1867), and the runs renewed when they fell in in 1870.<sup>12</sup> Thus, by the end of the seventies, the hostility to the squatters had abated, and a policy of moderate renewals, without having to run the gauntlet of auction, was adopted.

Yet, in the meantime, the position of the squatters had radically changed. When all north of the Light was in their hands, "the valleys of the Wakefield and the Gilbert and the Broughton were almost mints in which money might be coined with the aid of sheep," but, with stress on selectors in the sixties, the pastoralists were transferred from the inside to the outside country. This transfer commenced the period of large costs of development, expensive improvements and precarious investments of capital. Fencing, virtually unknown before 1865, became the rule by 1872 and the old shepherds gave way to the paddocks.<sup>13</sup>

During these years in which the squatting question had been

11. Debates, Vol. 9, 1865, p. 2060; paper 56 of 1865.

12. For various stages, see

(1) Hart's two bills of 1866. Extensions could be up to 10 years, the leases being fixed at 25 years. Debates, Vol. 10, 1865-66, col. 553, 797, 1185. "Register," 24-25/1/66. For remissions, see paper 60 of 1867.

(2) Paper 14 of 1867, report of Commission on Northern Runs, pp. iii-iv. Proposed longer leases, further remission, the vesting of permanent wells in the lessee, and no fixed rental. Cp. report of Valuers of Runs in 89 of 1867. "Register," 7/6/87.

(3) 1867 Bill divided country into three districts with varying rates, A with leases of 14 years, B and C for 21 years. Debates, Vol. 12, col. 309, 496. All improvements were to belong to Crown. "Register," 13/8/67.

(4) 1869 Bill, dealing with leases which were to be auctioned in July, 1870. "Register," 8/8/67, 3/1/71. Debates, Vol. 14, 1869-70, col. 977. Regulations, 33 of 1870. Land agitation had completely disappeared.

13. F. W. Holder's "Our Pastoral Industry" (1892), p. 4 (by a squatter). J. F. Connigrave's "S.A." (1886), pp. 103-4; Statistical Register for 1868, p. 10; cp. inducements to those going to the less attractive country, such as Fowler's Bay. Paper 25 of 1863.

flaring to a climax and undergoing a settlement, the agricultural grievances had been slowly but surely kindling. After the influx of new settlers and the demand for land in the early fifties, it was realised that over 60 per cent. of the available farming land had been indiscriminately alienated and that some control was necessary.<sup>14</sup> The northern limit of settlement, traced by Goyder from Swan Reach to Mount Remarkable, then south to the Broughton and gradually north-west to the Gawler Ranges, was considerably further south than was anticipated,<sup>15</sup> and, correctly drawn as it was, formed a cordon beyond which settlement could not safely go until the new farming methods of the nineties. This Line therefore strengthened the case for the conservation of the agricultural lands although it must be understood that the whole matter was one for the future rather than of immediate practical import, for South Australia then had five times more cultivation per head<sup>16</sup> than any of the adjacent colonies. But, while these States possessed large tracts of virgin farming land, South Australia could turn her increased population on to no new areas. South Australia alone possessed a Goyder's Line and all that that implied.

The position therefore was that from four to five times too much land was being forced into the market each year and that by far the greatest portion was passing into the hands of capitalists.<sup>17</sup> Further, these land-agents, whose operations were just within the law,<sup>18</sup> kept out the real settlers. By "improper combination" they could unite in the auction room and prevent land worth £5 from fetching more than the upset price, or they could

14. Stressed by Goode's Committee of 1865. See 73 of 1865. Cp. Debates, Vol. 9, 1865, col. 195-6.

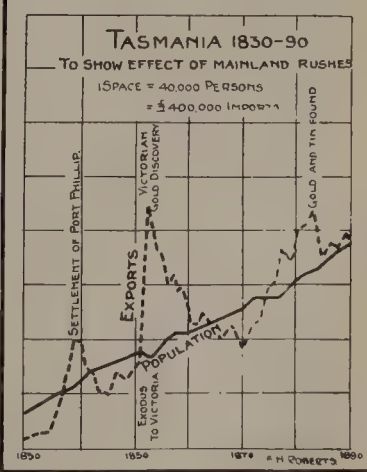
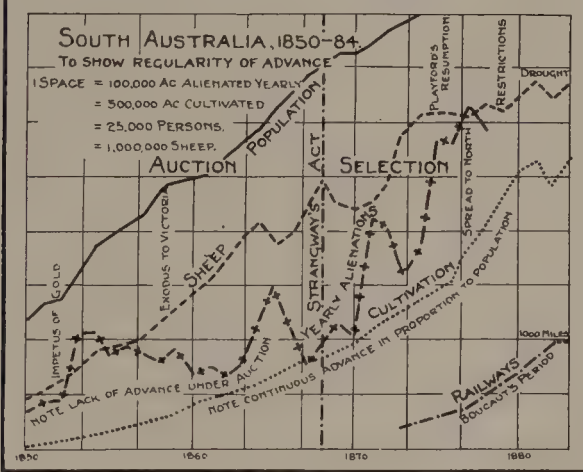
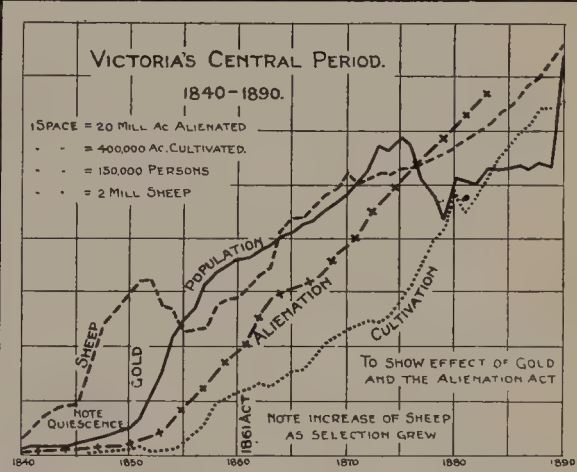
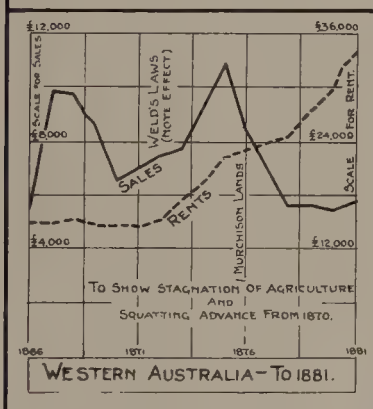
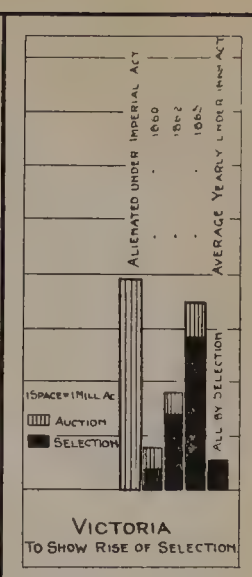
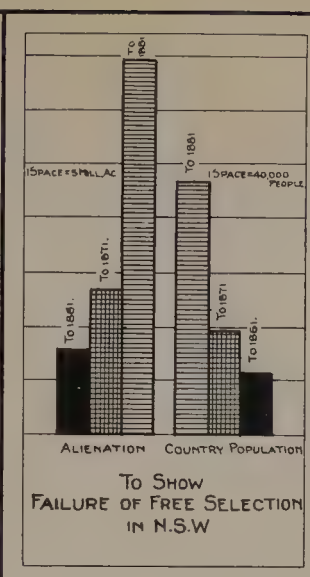
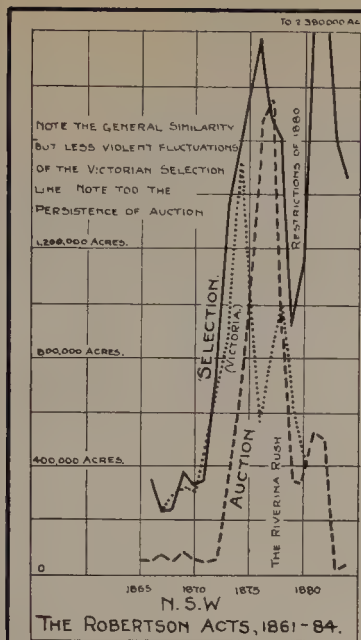
15. Paper No. 63 of 1865-66 for Goyder's instructions, and Nos. 78 and 133 for his reports. He remained a firm advocate of his line, e.g., qu. 2204-5 in paper 28 of 1888; Debates, 1884, col. 1672. "For all practical purposes Goyder's Line of Rainfall is very useful." Cp. 1897 Assembly Debates, p. 565; "Goyder's Line was really nature's line of rainfall." See figs. 22, 57. See estimate by Griffith Taylor, in "The Australian Environment," p. 98. "This line was slightly modified later, and practically agrees with the southern boundary of the distinctly characteristic 'salt-bush, mulga and dwarf mallee country.' During favorable years, an immense amount of wheat may be grown outside Goyder's Line, but the safe farming country lies south of this ecological isopleth. When the isohyets were adequately stated, it was found to agree closely with the 12-inch isohyet (except along the coast north of Wallaroo); and this logical method of estimating the possibilities of a new country is one which ought to be carried out in our central regions."

16. Statistical Register for 1864, p. 15.

17. 1865 Committee on "Selling the Crown Lands." This statement was in the draft report, but was deleted by three votes to two.

18. "South Australian," 14/9/49; "Perth Inquirer," 22/4/57; 1865 Committee, quest. 1674-5, 352-3, 2170, 2474; Debates, Vol. 10, 1865-66, col. 432 et seq.; Vol. 12, 1867, col. 470-4; "Register," 24/8/67; cp. 20/8/67, praising Queensland's land laws.





# AUSTRALIA - THE CENTRAL PERIOD.





force the land-seeker to buy them off by threatening to bid against him.

In practice purchasers had to go to these middlemen and, while the average price received by the Government was only 25/-, pay up to £10 an acre.<sup>19</sup> The farmers naturally demanded the right to deal directly with the Government but so long was the remedy deferred that an exodus to the eastern colonies, where free selection and deferred payments pertained, set in. The trek of the covered waggons of the German settlers<sup>20</sup> was a common sight in the late sixties and a continual stream slowly wound across the plains towards Albury, and the easily acquired land.

Within the colony the feeling fairly reached breaking point, for "there was never a worse period" (1866-67) from the employment point of view, while the wheat yields were so poor as to necessitate relief measures.<sup>21</sup> Within one month of 1867, nine large meetings were held, most wanting "a sort of agricultural Goyder" to extend the principle of variation from squatting to farming. The issue could be no longer delayed and in 1868 came the first decisive reform in South Australia's land laws, the first breach with the sales system of 1842.

In two months (September-October, 1868), three ministries submitted plans based on the retention of a purified form of auction but all were rejected as merely dabbling with the *status quo*.<sup>22</sup> Then Strangways, the opponent of the squatters, presented his ideas, claiming that there was "no novelty in the ingredients," only "in the manner in which the details have been put together." He was not a leading land authority and hence the very mediocrity of his proposals rendered them far more practical than the rounded-off theory of some visionary.

The existing system of auction and the upset price were

19. J. P. Stow's "S.A." (1884), p. 65. "The State profited nothing by the existing system; the farmers and the country suffered greatly."

20. Debates, Vol. 13, 1868-9, col. 659; cp. "The Comet" (Protectionist weekly), 2/3/68; "Register," 9/7/67.

21. Ayers in 1877 Debates, col. 1354. Statistical Register, 1867, p. 14; "Register," 28/9/67, 22/8/67; quest. 934 of 1865 Committee.

22. Selection and credit payments had been proposed and rejected in 1861 because the Government of the time thought that the poor man's desire to buy land "had been altogether over-estimated." Debates, Vol. 5, 1861, col. 303, 365, 706. Cp. 1867, col. 638; Vol. 13, 1868-9, passim. Of the proposals in this year, Glyde proposed classified prices but wanted neither free selection nor deferred payments. Hart suggested supervision of agents and larger areas. Ayers wanted agricultural areas "as an experiment." Strangways elevated them to the central position. He set up credit payments over four years and farms of 320 acres within areas, 640 outside.

retained but deferred payments and restrictions on transfer were added. To this, Strangways added Ayers' idea of credit selection within certain "agricultural areas." Throughout, the emphasis was on non-alienation and improvements, while the new notions of selection, credit and safeguards on auction marked the changed part ascribed to the Government in fostering and regulating settlement.

This measure, which passed easily, gave a great impetus to agriculture in South Australia, removed the class of middlemen who had prevented settlement for over twenty years, and stopped the exodus to Victoria.<sup>23</sup> Within a year, two hundred settlers—"labourers, gentlemen, sheepowners, widows, teamsters and farmers, and one or two master mariners"—were established within the agricultural areas<sup>24</sup> and, within eight years, the land sold had doubled in extent, population increased by one-third, and new districts, especially the North, were occupied.<sup>25</sup> The measure therefore operated favorably, as far as it went.

Yet complaints arose that it was but a tentative enactment and that, in its zeal to stop speculation, it hindered settlement by the high price, the residence condition and the ban on transfer. "What it gave with the one hand it retracted to a large extent with the other." At the same time, it did not prevent dummyming for, however strict the conditions, a man could be an agent for somebody else. Therefore in the south-west and from Yorke's Peninsula to the Gulnare Plains, the land was honey-combed with puppets keeping the letter but violating the spirit of Strangways' Act. Of 45,923 acres bought on credit terms in the South-East in seven years, 34,134 acres were resold in this fashion to pastoral lessees.<sup>26</sup>

Therefore, in the early seventies a feeling grew up that, while Strangways' Act was a benefit, its potentialities had hardly been realised. It was merely a starting point and, though Strangways had taken the most difficult step, a gradual develop-

23. *Debates*, Vol. 16, 1871, col. 120. Coghlan's "Labor and Industry in Australia" (1918), p. 1005, gives a reasoned summary of its operation.

24. *Papers* No. 58 of 1869-70, 161 of 1868-9. Regulations in 15 of 1869-70 and 198 of 1870-1. "Register," 10/10/71.

25. From 1868 to 1877, population went up from 162,250 to 210,996; land sold, from 3,568,742 acres to 6,389,235 acres; cultivation, from 810,734 acres to 1,514,916 acres; sheep, from 4,447,445 to 6,133,291. "Register," 13/1/70; *Debates*, 1875, col. 1777; 1876, col. 1448.

26. 1879 Select Committee (Krichauff), p. iv. Cp. papers 124 of 1876, and 41 of 1877. *Debates*, 1875, col. 1175; 1876, col. 1531. In the North, affairs were better, though, even there, 37,000 out of 120,744 acres reverted to the original squatters. "Register," 27/7/70.

ment was needed. Victoria's legislation was closely studied<sup>27</sup> and an agitation began for unhampered selection after survey. It was felt that the existing system of agricultural areas was too restricted and that the model system of classification was too difficult, but that selection after survey anywhere within Goyder's Line would be an admirable compromise. But not for two years<sup>28</sup> could Blyth overcome the apathy of the Assembly and the opposition of the Council and turn the whole of the cultivable lands of the province into one big agricultural area. The credit of Strangways and the selection of Duffy were thus combined but, to win over the Council, the crux of Strangways' Act—personal residence—was so amended as to allow residence by bailiffs.<sup>29</sup>

At this period, the demand for land was unprecedented<sup>30</sup> and the compromise of 1872 worked well, nine hundred selections a year taking place and the "substituted residence" provisions, contrary to expectation, causing little trouble.<sup>31</sup> Land values strengthened; the average size of holdings and the area cultivated both increased, and the revenue flourished. The modified principles of Strangways paved the way for Boucaut's forward policy of public works<sup>32</sup> and for the commercial activities of the mid-seventies and, most striking of all, so successful was the Act that settlement was no longer confined to Goyder's Line, for after 1872, settlers could select land anywhere.

This extension of settlement was certainly the most important feature of the time for, before the gradual advance of the

27. Goyder was sent to Victoria to analyse the operation of the Acts. Paper 23 of 1870-1; Debates 1869-70, col. 1677, 1785. In these years Victoria was the mentor, South Australia the pupil. Cp. leader in *Deutsche Australische Zeitung* (Tanunda), 28/1/70:—"Darüber aber kann gar kein zweifel bestehen, dass in Victoria überall ein viel regeres, energischeres Leben, ein lebendigeres Treiben, eine viel sichere Aussicht auf den Fortschritt der Kolonie und ihrer Einwohner zu finden ist als in Süd-Australien."

28. "Register," 1/3/70, 23/7/70. Debates, 1870-1, col. 102-4. See "Register," 2, 13/8/70, for feeling. According to the doggerel of the day, Blyth,

"still perseveres,  
Spite of Strangways' sneers,  
In explaining his measure to indolent ears,  
For the House altogether quite indifferent appears,  
On the subject for which we have clamored for years."

"Register," 12-13/1/71, for fate of first Bill; 5/12/71 for appeal to country. Debates 1871, col. 119-121; 1872, col. 657 et seq.

29. "Register," 30/8/71. For regulations, see p. 173 of 1872.

30. Paper 8A of 1872. Agricultural and Live Stock Statistics, p. 4; "Register," 9/10/73.

31. Krichauff's 1879 Committee, p. vi. Only one-fifth were applied for by bailiffs. "Register," 7, 15/11/74. Papers 257, 244 of 1874.

32. Musgrave-Carnarvon, 6/10/75. Starting his development in 1873, by 1880 Boucaut had increased the railways from 202 miles to 667 opened and 319 in course of construction.



plow, the far North<sup>33</sup> and the South-East were occupied. Scattered among the sandy deserts between the Murray and the Victorian boundary were vastly rich spots of land which became the centres of thriving agricultural populations; the South-East was at once the bourne of dummies and the desire of the farmer; and the North saw the most spectacular movement of all.

In 1867, there had been no farmers there but, after the phenomenal seasons of the next few years, the North was occupied and the sheepwalks north of the Burra and the Clare, right on to the Minburra Plains, were converted into small farms. Goyder's Line was laughed to scorn and the doctrine that "the rain followed the plough" was in the ascendant.

But here the optimism went too far. "The grass which lured the settler to destruction grew on summer rains and heavy dews"<sup>34</sup> and retreat was inevitable. The "earth hunger" after 1874 could have but one ending; and the squatting and agricultural problems of the eighties were conceived by this unwonted spread of farming to the Murray and the North, by the tendency "to destroy good runs to make bad farms." All went back to Strangways' Act; this caused the expansion to the north; this necessitated the resumption of the "fringe country"; and this, in turn, produced the squatting problem.

As soon as possible after the abolition of the northern boundary of agricultural settlement, notice was given to resume 800 square miles of pastoral country (1875).<sup>35</sup> This, and the restrictions of 1877, caused the pastoral industry to decline—a decline due neither to want of water nor lack of population nor the decay of enterprise, but solely to the insecure tenure. The number of sheep declined and less than one-fifth of the country taken was stocked, and "this only to a very limited extent."<sup>36</sup>

A Bill of 1878 therefore divided the squatters into two

33. Statistical Register, 1873, p. 3; "Register," 7-11/11/74; Debates, Vol. 15; 1870-1, col. 2; 1874, col. 3, 905. Cp. "Register," 29/12/66 for "Inroads of Victorians" and contrast the exodus of a decade previously. For the north, see Playford, in Debates, 1883-44, col. 457, and compare his evidence before the 1889 Commission. Cp. too, paper 120 of 1898-99, p. 12 of agricultural statistics for a late statement of optimism with regard to this region.

34. F. W. Holder's "Our Pastoral Industry," p. 19. Debates, 1883-4, col. 299.

35. "The decline of our pastoral industry dated from the resumptions by Mr. Playford in 1875." "Register," 1/11/77. Note that there had been previous resumptions, e.g., 48,000 acres between 1851 and 1856. Cp. "Government Gazette," 1857, pp. 256, 907, 931, etc.

36. "Register," 6/9/78. 32 million acres leased and 18 million under preferential right, yet only five million stocked.

classes and allowed renewal and more security to the northern ones.<sup>37</sup> But, even while passing this, Playford, its author, was trying to introduce "agriculture-cum-grazing" in the fringe country, although facts soon compelled the legislators to go further in aiding the squatters<sup>38</sup> (fig. 5). The drought in the early eighties, the lack of improvement and the general feeling of insecurity forced a realisation that there must be *two* staples. New South Wales with a smaller pastoral area had five times the number of sheep and the decline in South Australia was not merely temporary, for no bank would advance money when the leases were to be auctioned in 1888. But the Cabinets continually refused to alter the position because of what they termed "the ancient and definite understanding that the land comprised in these leases should be cut up when the present leases expire."<sup>39</sup>

All leases falling in in 1888 were therefore to be auctioned and the only concession was in longer terms and compensation for improvement to the *new* occupants (1884).<sup>40</sup> The period ended in squatting gloom; expansion had ceased; the land carried only two sheep to the acre; the rabbit plague had come; the experiment of small graziers in the "fringe" from the Burra to Petersburg had been "one of failure and loss right through";<sup>41</sup> and the resumptions which ruined the squatters merely resulted in an agricultural expansion of dubious wisdom.

Doubt had by this time arisen about the farmers in the Northern and South-Eastern outskirts where the dominating factor, as a German settler said, was that "Goyder's ghost seems

37. "Register," 2, 30/11/78. It was a Bill "for the arid plains of the remote North." Debates, 1878, col. 551, et seq.; "Register," 7/8/78. The leases in the South were to be auctioned on expiry.

38. Catt for three years in succession (1881-3) attempted to give a longer lease to the Northern men, but people asked why should Sir Thomas Elder, for example, be allowed to renew his 700 square miles at Beltana without competition? Debates, 1881, col. 60; "Register," 31/8/81, 3/11/81. See "West Australian," 8/9/82, and "Register," 24/10/83 for the attitude towards pastoral legislation. For Bills, see Debates, 1882, col. 1070 et seq. ("Register," 4/7/83, "ruthlessly slaughtered"; 1883-4, col. 333; "Register," 4/7/83).

39. "Register," 20/10/84, and 1891 Commission, p. vii., strongly against auction. Votes and Proc., 1885, for eight petitions against it.

40. Debates, 1884, col. 710, et seq. There were 214,794 square miles leased, and only three million sheep. See series of special articles in "Register," for August, 1884, on the far North. Cp. "Advertiser," 18/8/87, and "Register," 12/10/82 for decline.

41. Holder, p. 46; Debates, 1895, col. 353. The plan was recommended in p. v. of the 1879 Committee. See quest. 589, 1793. Attempted but deleted in 1881 Bill. For impolicy, see "Register," 21/8/01, or Assembly Debates, 1901, p. 169, or paper 28 of 1888, pp. 31-2. Cp. leaders in "Register," 14/7/85; 3/8/85, for spread of rabbit plague, connected with this failure.

to hover about." Drought and good years regularly alternated and the settlers were realising that Goyder's Line, described in the period of optimism as "that buried demon of settlement," was based on the fact that the *normal* northern season was not one of plenty. The first occupation of the North was based on the exception and not the rule; and to argue from it was to repeat Goyder's own error of the pastoral sphere.

In the early eighties, therefore, came the parting of the ways. The operations under Strangways' Act had clearly gone too far; but was the future to see a withdrawal within Goyder's Line or a period of steady consolidation and modified optimism in the North? Many answers were attempted. Some strove to keep the principles but improve the machinery of Strangways, others wanted a reduced price, still others larger blocks for the outside country (1877).<sup>42</sup> All came to favor stronger cultivation clauses—"the sheet anchor against dummyism" (1877),<sup>43</sup> and an extension of the credit term,<sup>44</sup> especially in the drought-ravaged north (1880-1).

Each palliative proved insufficient or futile until it was realised that the settlers had gone too far outwards. Hence, they were allowed to exchange their ill-chosen holdings (1882)<sup>45</sup> but even this, when combined with reductions of rent and less stringent conditions, failed to relieve the despondency. Catt therefore remitted all interest and allowed the farmers to convert their holdings into renewable leases (1884)<sup>46</sup> but this did not go far enough and was "merely staving off the evil day."

42. Cp. "Register," 28/10/81, opposing the grafting-on of alien principles. Much stress was placed at this period on improving the mode of auction. See review by Playford in *Debates*, 1879, col. 1411; "Register," 6/10/73. For other expedients, see *Debates*, 1875, col. 3-4, 53, and p. vi. of report of 1879 Committee.

43. This 1877 consolidation, directly due to the Northern expansion ("Register," 14/6/77), may be regarded as the peak of Strangway's period. By this time, Strangways' principles were in full operation, and had been tested by experience. The 1877 Bill "represented a principle, a struggle, and a victory. The struggle had been to get the middlemen out of the way and to prevent the pastoral lessees monopolising the land and converting it into a few sheep runs; and the victory was that to a great extent they had accomplished the purpose for which they had struggled for the last ten years." The Bill "was a consolidation of the facts of that great struggle." *Debates*, 1879, col. 64. "Register," 21/12/77.

44. Recommend on p. vii. of 1879 report on land laws. Cp. quest. 1636, 1742, et seq. "Register," 3/11/79. For extension of credit, see bills of 1872 (nine years), 1877 (interest reduced), 1880 (20 years), 1881. This amelioration was largely the work of the reformer, Krichauff.

45. "Register," 16/6/82, 7/7/82; *Debates*, 1882, col. 130-5. But this was wrong in principle as offering an incentive to fraud, rather than aid to deserving settlers. "Register," 26/11/90.

46. Attempted in 1883 as a means of preventing dummieing in the South-East. The 1884 Act allowed leases but left them optional. *Debates*, 1883-4, col. 238, 304; "Register," 7/11/83, 3/7/84, urging extension.



The position after the great drought which ended in 1884 was that the policy of sales had broken down. Accentuated by the unwise spread to the North and the rise of "dummyism" in the South-East,<sup>47</sup> sales "had bolstered up the already too large estates in the centre," and resulted in a precarious occupancy of the outside districts.

In a word, Strangways' Act had worked itself out and the groping efforts of Catts showed this clearly.<sup>48</sup> The emphasis now was on lease and State supervision rather than on the combination of sales and credit which had wrought such changes under Strangways two decades before. "Alienation by lease" was the keynote of the consolidation of 1886.<sup>49</sup> The Board idea was emerging, first for squatting (1884), then for the leasing of large blocks (1886), then to deal with the dummied South-East (1887), then for the lands all over the province and lastly, even for the scattered settlements of the Northern Territory.<sup>50</sup>

This growth of control by representative Boards marked the transition to the new era and not even the sale of inferior land to remedy the deficit in the revenue (1887) could retard the change. The signal success of the homestead blocks of 1885 and the growth of the selectors' leases to over a million acres in three years showed the new faith in lease. Thus, while Strangways' Act had changed the face of South Australia, it had failed to solve the problems of the new districts which it created or of the squatters whom it dispossessed. The new era was to consolidate the results of the Act and carry them further by Government supervision. Auction or sale of any kind were no longer the chief constituents of a land policy; hereafter, classification was the primary need, Board-control the means of achieving that end.

47. It was stated that there were not three real selectors in the whole hundred of Narracoorte, and the older hundreds were almost depopulated. "In the South-East, dummyism was rampant."

48. Another failure of the existing facts lay in their failure from a financial point of view. "Register," 27/7/85.

49. Compare the refusal of the ministry in 1886 "to advise the sale of Crown Lands generally." Note the conception of sales for revenue as distinct from sales for settlement. "Register," 27/7/86, 7/10/87; Debates, 1886, col. 911; 1887, col. 1044.

50. This was the most novel idea in the South Australia of the eighties. Debates, 1887, col. 1040, for the pioneer South-Eastern Land Board.



## CHAPTER 23.—WESTERN AUSTRALIA AND YEOMANRY SETTLEMENT.

As early as 1850, Western Australia had attempted to foster a yeomanry in the South-West while allowing pastoral occupation up to the fringe of the central desert; and the 1850 regulations had arranged for agricultural or tillage leases all over the colony, as well as for squatting leases. Blocks of 120 to 320 acres were to be leased for eight years and could then be either renewed or purchased.<sup>1</sup> This part of the regulations commenced an experiment which was for decades a prominent feature of land legislation in the colony.

Despite complaints that the rents were prohibitive, the tillage leases worked satisfactorily and a yeoman class appeared. But agriculture in no wise kept pace with the pastoral expansion and, despite the fact that the colony was made a penal settlement—"in accordance with the expressed wish of the settlers at large"<sup>2</sup>—farming was paralysed by "an apparent supineness."<sup>3</sup>

Although sales developed gradually,<sup>4</sup> there could not be any progress in such a depressed colony while the high price of £1 remained in force, and gradually "a strong public feeling" emerged on this point. There was a general concurrence of opinion among the witnesses before the Select Committee of the House of Lords (1856) "that a reduction in the price of land would stimulate the resource of capitalists to the colony" and the Committee, in their report, recommended "a large reduc-

1. To prevent unfair treatment of the squatters, they were allowed a prior right over tillage leases within their runs. The regulations were supplemented by provisions (1851) for a class of smaller "ten-acre settlers." See 1853 report of C. L. and E. C., p. 50.

2. Fitzgerald-Grey, 30/4/51, 3/6/53 (to Newcastle). At first, transportation was "productive of nothing but marked benefits to the inhabitants," but gradually popular opposition arose.

3. Fitzgerald-Grey, 1/3/50.

4. For recovery, see Fitzgerald-Newcastle, 17/6/53, directly attributing the increased sales to the facilities for yeomen. See rules in appx. 38 of 1852 report of C. L. and E. C.; cp. p. 50 of 1853 report. Fitzgerald-Grey, 3/5/55. Sales in 1848 were £77, in 1852, £3369.



## NEW SOUTH WALES - THE RISE OF AGRICULTURE.

Figs. 51-54.



tion.”<sup>5</sup> The Governor, however, had anticipated this by appointing a committee of officials to enquire into the whole land system, with the result that, in 1857, the Executive and Legislative Councils drew up a “summary of proposed land regulations” based largely on their recommendations.

Once more the elements of the land situation had been redistributed. Now, the reformer Clifton led the attack on the large squatters in the interests of agriculture just as, a decade earlier, the people had supported the squatters against the large owners. The 1850 regulations had converted the squatters into monopolists, 139 lessees holding 3,690,000 acres<sup>6</sup> and the privileges of renewal and pre-emption virtually excluding any purchaser. In particular, the new Champion Bay country was in the hands of a few persons in this manner.

But, while the situation was thus clear, the remedy was not easily agreed upon. Governor Kennedy, the Council, the Secretary of State (Stanley), and the Colonial Land and Emigration Commissioners each differed in the solution; although all agreed that, so far as the squatters and the yeomanry were concerned, the regulations of 1850 were to be kept intact in principle. The Council, however, wished to restrict the squatters’ rights of renewal and to foster agriculture by a greatly reduced price but, after a protracted negotiation, Stanley doubled their minimum while refusing any rights to the squatters.<sup>7</sup> Thus, while he reduced their extreme views regarding price to a compromise, he converted their compromise regarding the squatters into an extreme position.

In view of these differences, “the unsettled state of the land question”<sup>8</sup> dragged on until 1859 and not until the new Secretary of State, Lytton, issued “peremptory instructions to

5. Kennedy-Molesworth, 21/12/55; see Fitzgerald’s evidence before Committee on Transportation, 1856, quest. 2046, 337-385, 402. Section 60 of report (Accounts and Papers, 1856, Vol. 17). Cp. 1856-7, Vol. 24, p. 39. The recommendation was “without questioning its (£1’s) merits or advantages elsewhere.”

6. Going still further, 38 of these held two and a half million acres. See Stanley-Kennedy, 1/5/58.

7. Late in 1856, Clifton had proposed a graduated and reduced price, and the report of the Transportation Committee had seemed to buttress this line of advance. The Council wished to remove auction and to reduce the price to 5/-, but the Governor argued that, in view of the progress made under the 1850 laws and the high price realised at auction (25/-), “a mere reduction in the price of land will not effect all that is desirable.” See Kennedy-Labouchere, 13/8/57. The final price was 10/-. For squatting, see “Perth Gazette,” 5/10/66; Stanley-Kennedy, 1/5/58.

8. Accounts and Papers, 1859, Session 2, Vol. 14, p. 33.



the Governor''<sup>9</sup> did the Council give way.<sup>10</sup> Dogmatism and delay characterised the whole struggle in which the colony had to submit because of the lack of responsible government.

Nevertheless, there had been progress. Though in a halting and tentative fashion and though burdened with the errors of the past, the colony was finding its feet in this matter and the code of 1850, extended in 1860,<sup>11</sup> ushered in the period of adolescence which lasted until Forrest's revival.

At the same time there came the opening of the North-West with its endless potentialities. To provide an outlet for the cramped graziers of the South, F. T. Gregory, who reached the Gascoyne district in 1858, operated from Nickol Bay and discovered large tracts of fertile land well-watered by four rivers. In these years, too, a squatter, Delisser, was opening the grass and saltbush lands of the extreme South-East, Eucla near the border.<sup>12</sup>

Since these expeditions made available at least two million acres of land and since the pioneers, under Padbury, were already preparing for Nickol Bay, Governor Hampton issued special regulations for the new country,<sup>13</sup> offering bonuses to the first-comers and four years of trial and choice over a large area to all. On the expiry of such non-transferable licenses, leases for eight years were to be issued in the two new divisions, the "Northern" and the "Eastern."<sup>14</sup> This liberal code produced an immediate effect<sup>15</sup> and many companies, especially in Victoria, were formed to exploit this virgin territory. Some met with disaster, in particular the Camden Plains Company, whose sheep were killed by the "rugged and stony country,"<sup>16</sup> but these reverses did not deter the remainder. Padbury settled

9. Lytton-Kennedy, 19/5/59; cp. 20/5/59, for reasons.

10. Accounts and Papers, 1859, Session 2, Vol. 14, pp. 131-4.

11. "W.A. Government Gazette," 14/2/60, or appx. 36 to 1859 report of C. L. and E. C., cp. pp. 3-5.

12. Article in Journal of Royal Geographical Society, Vol. 35, 1865. Cp. Gregory's "Journal of the N.W. Australian Exploring Expedition" (1861), p. 82; "W.A. Calendar," 1861, p. 33; "W.A. Year Book," 1902-4, p. 76.

13. Appendices 37 and 44 of 1863 and 1864 reports of C. L. and E. C.; "W.A. Government Gazette," 23/12/62, and pamphlet "North Western Australia" (1864). A new class of lands ("C") was set up.

14. Marked on fig. 59.

15. Supplemented as it was by remissions of rent to the first overlanders. "Government Gazette," 26/7/64. "Perth Gazette," 30/11/66, 14/12/66. Accounts and Papers, 1864, Vol. 16, p. 31.

16. Hampton-Cardwell, 24/12/64. 80 per cent. killed within three months. For failure, see "S.A. Register," 16/12/65; Sholl's despatches in "Perth Gazette," 26/4/65 et seq.; 22/9/65 (removal of settlement), 5/2/66. Cp. "W.A. Blue Book," 1868.

at Nickol Bay<sup>17</sup> and other companies at Roebuck Bay and the Denison Plains<sup>18</sup> and, when an expedition discovered six million acres of eminently suitable country near the Glenelg (1863)<sup>19</sup> the latent possibilities of the North seemed endless.

By this time a stock route had been opened up and Governor Hampton lost no time in supplementing the pastoral laws by regulations for sales.<sup>20</sup> But these were premature, for it was becoming evident that a gradual development was needed. The unwieldy companies failed and even the bushmen squatters encountered many reverses although six million acres were leased at the close of 1868, after the bad years.

In addition to proving capable of expansion in this manner, the 1860 regulations worked well in other directions, especially in regard to sales to workingmen,<sup>21</sup> but, although "well adapted for the purposes for which they were framed," they came to evoke discontent as the years went on.<sup>22</sup> Firstly, there were the squatters who struggled until they obtained (1863) what was virtually a right of renewal, thus redressing Stanley's error of judgment in 1859.<sup>23</sup> But more important were the yeomanry who had tillage leases. They had encountered serious reverses especially when the scourge of "red rust" appeared in 1868. Not even remissions of rent could improve their position<sup>24</sup> which became still worse, when there was an acute labor shortage, due to the opening of the new districts and the abolition of transportation,<sup>25</sup> events intimately connected. This discontent was bound up with the agitation for representative institutions, (achieved in 1870) for the colonists associated the existing regulations with the old nominee Council. Hence, Governor Weld

17. "Perth Gazette," 27/6/66, 23/11/66. "Inquirer," 25/11/98.

18. Hampton's despatch of 24/12/64; "Perth Gazette," 20/1/65, and pamphlet of "Denison Plains Pastoral Company," 1866.

19. Journal of Royal Geographical Society, 1865, Vol. 35, p. 237; appx. 46 and p. 43 of 1865 report of C. L. and E. C.

20. Cardwell-Hampton, 26/11/64; "Government Gazette," 20/1/65; "Perth Gazette," 24/2/65. 150,000 acres at 7/- in first year, then 10/-.

21. 10,000 acres had been sold in two months, more than half in blocks under 20 acres. "W.A. Almanac," 1861, p. 34; 1861 report of C. L. and E. C.

22. Emigration Commissioners-Under Secretary Elliott, 15/4/64, appx. 43 to 1865 report.

23. A mixed Commission of three official and 13 unofficial members reported on the matter. "W.A. Government Gazette," 13/9/63, 24/3/64. Cp. appendices 43-45 of C. L. and E. C's. report of 1865.

24. There were 44,000 acres under tillage lease. Weld-Kimberley, 2/3/72. "Reports exhibiting the past and present state of Her Majesty's Colonial Possessions," 1873, p. 222; 1874, pp. 243-5.

25. Correspondence re discontinuance. Accounts and Papers, 1865, Vol. 37, p. 911 on.

found "chronic despondency" on his arrival and the land question, after the progress of the mid-sixties, was re-opened in the seventies, a continuous decline setting in until 1873.<sup>26</sup>

Weld, a bushman himself, at once perceived the weakness of the land laws and saw that, especially in a colony where "the good and available land is scattered about in patches," the great need was "to classify the lands."<sup>27</sup> System, differentiation, variation with practical conditions were the fundamental ends. On the other hand, previous laws had been based on *a priori* considerations of the ends to be achieved rather than on the means to achieve those ends.

Weld therefore introduced differential laws,<sup>28</sup> which anticipated development and yet were liberal to existing interests, whether flourishing or depressed. Lower charges for the North and East, inducements to occupy "poison lands," remissions for immigrants, and "agricultural areas with terms even easier than the old tillage leases"<sup>29</sup>—all of these were provided for, the 1872 laws commencing the expedients finally adopted in Forrest's laws.

These provisions clearly fostered settlement and over a quarter of a million acres were sold within five years.<sup>30</sup> But, as usual, success in one direction was accompanied by problems in others. Primarily, the revenue was diminishing, for, while yeomanry settlement attracted settlers, it prevented financial increments. Thus, while the revenue doubled in the three years immediately following 1872, it remained stationary from then until 1880,<sup>31</sup> despite the large purchases by squatters<sup>32</sup> and the increased pastoral returns in general. Even more serious were

26. Weld-Carnarvon, 30/9/74. Weld discerned four causes—"failure of the wheat crop," "the gradual reduction of convict expenditure and labor," "the refusal of the Home Government to send out free laborers," and "a vague dread of being thrown on their own resources." See 1875 report on Crown Lands.

27. Weld-Granville, 3/3/70; appx. 28 to 1871 report of C. L. and E. C. Even the pastoral resources were "less than might be expected from the extent of the country," and the N.W. and S.E. seemed to belie their early promise. Cp. Weld-Kimberley, 9/9/71.

28. Drafted by a Select Committee of the Council, 1872; "Perth Gazette," 21/6/72; "Government Gazette," 20/3/72; Weld-Kimberley, 9/9/71.

29. Kimberley-Weld, 26/12/71, held that the general trend of the code was to "entice settlers beyond the settled districts of the colony."

30. 179 leases for 18,835 acres were issued in a little over a year. 1873 report on Crown Lands. Cp. 1875 and 1877 reports, p. 3. See "Perth Gazette," 16/8/72, and 11/10/72.

31. 1837 and 1876 reports on Crown Lands; 1881 Committee on Crown Lands and Surveys.

32. 1877 report on Crown Lands, p. 7, e.g., 97,045 acres at 10/- in four years.









the future implications of the policy, for by 1877, owing to the privileges of immigrants and other claims for scrip, "nearly 200,000 acres of the best of the Crown lands" were mortgaged.

Another fault lay in the system itself, for the 40-acre blocks were too small for effective agriculture and were used "to pick eyes in desirable country." All of the evils of selection before survey appeared in an aggravated form and, while the character of the country prevented a preliminary survey, "the spotting system" of picking land meant confusion, delay and expense. In the words of the Surveyor-General: "In a territory containing nearly a million of square miles, in which any man is free to select in any part on any oasis, what is to be done?"<sup>33</sup>

Finally, the laws of 1872 stressed numbers to the exclusion of cultivation. The area under crop continually declined<sup>34</sup> and alienation on liberal terms without an agricultural advance could scarcely be termed successful. The zeal for small blocks and deferred payments thus acted detrimentally to the finances, the survey, the growth of agriculture and future interests.

In the meantime, however, the pastoralists had been advancing, as a result of the explorations fostered by Weld. In 1870, he had despatched Forrest overland to Adelaide thus "bridging the gap that separated Western Australia from the other colonies"<sup>35</sup> and incidentally finding the beautifully-grassed country on the Hampton Tablelands—a discovery which led to the permanent occupation of more than half a million acres in the Eucla district within two years. Four years later, Forrest submitted another cheering account, this time of the Murchison lands to the north of the existing limits of settlement.<sup>36</sup> These discoveries combined with the high prices of wool and meat to give a decided impetus to pastoral pursuits with the result that, in 1876, nearly four million acres more land were taken up than in the preceding year.

New regulations, therefore, came into force in September,

33. Kimberley-Weld, 26/12/71, and reply of 17/3/72; 1875 report on Crown Lands, p. 4.

34. Battye (1922), pp. 329-30, for account of the depression in agriculture. Cp. "W.A. Times," 13/6/76. The area under cultivation in each year from 1872 to 1879 was 53,240, 51,724, 45,292, 27,571, 45,933, 50,591, and 51,674 acres respectively.

35. Weld-Carnarvon, 30/9/74.

36. J. Forrest's "Explorations in Australia," pp. 117, 135; 1872 Report on Crown Lands, p. 9. Robinson-Carnarvon, 16/4/75. In 1879, Alex. Forrest discovered the Nicholson Plains. Forrest, above, pp. 150-1, 263.

1878, and liberalised the squatting terms.<sup>37</sup> Leases for fourteen years with a certain right of pre-emption were allowed anywhere in the colony and so secure was the tenure that the squatters would not use their rights of purchasing a homestead.<sup>38</sup> But this security, needless though the concession was, led to the occupation of new lands, such as the Fitzroy plains in the Kimberley district, which was first proclaimed in 1880.<sup>39</sup> Here, where relief would have been logical, the terms were unduly heavy, for there was no pre-emptive right and a rigid stocking clause. Despite this severity, eight million acres of the new lands were allotted at the beginning of 1881<sup>40</sup> and the whole of the country between the Murchison and the Fitzroy seemed eminently suitable for pastoral pursuits. By the middle of 1883, 78 million acres<sup>41</sup> were leased in the Kimberley and Eucla divisions alone and the revival was the more helpful because just at this time the York railway was reviving the agricultural and timber interests.<sup>42</sup>

But there were less satisfactory features, for with all this territory leased, there were less than fifty shepherds and 27,000 sheep actually in the Kimberley district in 1883, and the severity of the stocking clause made even their tenure "most insecure and uncertain."<sup>43</sup> Not until 1884<sup>44</sup> could more secure

37. "Government Gazette," 14/9/78; Carnarvon-Ord, 30/11/77; paper A3 of 1876 for report of Select Committee. Debates of Council, Vol. 1, 1876, p. 138. The administrative divisions were also recast and, in place of the old A, B, and C lands, there were to be First (all within the Central Division) and Second Class lands. "W.A. Times," 12/9/72; "West Australian," 10/10/82; "Times," 3/10/76, for timber.

38. Debates of Council, Vol. 4, 1879, p. 205; 1877 report on lands. For security, see "W.A. Times," 3/3/76, seen in growth of fencing. Knight's "W.A." (1870), p. 116; "Inquirer," 11/1/89; "Perth Gazette," 30/11/66. Under the old regulations, 97,000 acres had been sold to squatters at 10/-; now, none could be sold at 5/- and 2/6.

39. See paper 3 of 1880; "Government Gazette," 14/9/80, 29/11/80; "West Australian," 1/6/80, 21/12/80; Kimberley-Robinson, 26/6/80.

40. 448 applications. 1880 Votes and Proc., opening speech.

41. "West Australian," 13/10/82; Votes and Proc., 1882, p. 4.

42. "There has never been a period in the history of Western Australia when the position of the Colony was more satisfactory." Debates of Council, Vol. V, p. 471. Cp. 1881 report on Crown Lands. "West Australian," 19/7/83, for Broome's speech.

43. Double rent, restrictions on migratory stock and penalties on reduction of numbers all made the regulations severe for "a new and untried locality." See condemnation in Forrest's report of 21/3/83; cp. Debates, Vol. 7, pp. 250, 286, and Derby-Robinson, 3/5/83.

44. After a prolonged struggle. Robinson-Kimberley, 25/9/81; "West Australian," 3/10/82; "Government Gazette," 18/1/82, 1/10/82. Partially conceded in Kimberley-Robinson, 17/1/82; but for trouble over interpretation, see Robinson-Kimberley, 28/10/82, 10/1/83; Derby-Robinson, 3/5/83 (refusing to vest a discretionary power in the legislature); "W. Australian," 11/10/82, 5/12/82, 17/10/82; "Government Gazette," 1882, p. 357 et seq.; Derby-Robinson, 3/5/83, and to Broome, 30/1/84. Paper A12 of 1883 for report of Committee, also Debates, Vol. 8, pp. 310-6. Broome-Derby, 3/9/83, 8/4/84, reply of 4/6/84.

terms be wrested from the Secretary of State, but after that date, the discovery of the Kimberley goldfields relieved the situation (1885)<sup>45</sup> and attention once more turned to the South.

Here Forrest had been agitating for measures to rehabilitate agriculture, which was either declining or stagnant, and had suffered from the emphasis placed on grazing in the early eighties. Forrest, in his annual reports as Surveyor-General, set forth the unpalatable facts that,<sup>46</sup> in the decade after 1873, the area cropped had increased only from 51,724 acres to 58,111, the result being that the colony still depended on imported farm-produce. Thus commenced the campaign which closed only when the regulations of 1887 marked the victory of Forrest.

The central period in Western Australia closed, therefore, with a flourishing grazing industry, but with depression elsewhere. Free selection in very small blocks had failed, and cultivation was limited. Hence the new period opened with an emphasis on ordered and supervised settlement within certain "centers."

45. "W. Australian," 13/6/82; Debates, Vol. 8, 1883, pp. 305, 403.

46. Forrest's 1884 report. Broome-Derby, 23/6/84; "W. Australian," 6/5/82; reference of 1891 Commission on Agriculture (Paper 1 of 1891-2), to "The stagnation of agriculture up to within the last few years."



## CHAPTER 24.—TASMANIA AND THE “UNSETTLED LANDS.”

In the central period of her history, Tasmania suffered from three mistakes—the undue concentration of convicts, the effects of Arthur’s alienation of a million acres, and the impolitic sales regulations of the fifties. The three combined to produce a depression which, accentuated by outside factors, remained until 1890.

At the commencement of the period, Ripon’s regulations came into force, but remained inoperative<sup>1</sup> because of the distress throughout the thirties. With a free population of only 13,334, a million and a half acres had been alienated, the consequence being that no good land remained for the immigrant.<sup>2</sup> Agriculture was stagnant,<sup>3</sup> owing to the loss of the mainland markets in the twenties and, although the opening of Port Phillip and South Australia afforded some relief to the grazier, that was only temporary. Then, when the price of land rose to 12/-<sup>4</sup> and when assignment stopped,<sup>5</sup> ruin was imminent.

Even the boom of 1839-40 testified to this position. In these years of distress on the mainland, “a mania set in to grow wheat,”<sup>6</sup> but the forcing of the land by unscientific means and “the rack and ruin” which resulted left a baneful mark on agriculture for over twenty years. The whole episode combined with the high interest rates and the flood of convicts in

1. Arthur-Goderich, 21/1/32, 29/1/32; cp. report of Emigration Commission in Despatch of 31/3/32, and 1832 Blue Book. For general position, see R. M. Martin (1839), p. 454.

2. “A Capitalist Immigrating with the intention of establishing himself upon some 100 Acres of Waste Land finds, to his surprise, that there is no waste land to be found.” Arthur’s Despatches of 14/5/34; Cp. 4/5/36. Franklin-Glenelg, 6/10/38. Blue Book for 1833.

3. As a result, immigration was suspended from 1835 to 1840. Arthur’s despatches of 24/8/33, 10/7/34, 15/10/35. “Hobart Town Courier,” 23/8/33; “Hobart Town Magazine,” 1833, pp. 281-91.

4. Franklin-Glenelg, 15/2/39; cp. Glenelg-Franklin, 13/8/38, “in effect an Instruction virtually abolishing Sales of Land.”

5. “S.A. Record,” 9/5/40, 3/10/40; “Hobart Town Courier,” 27/3/40; “Colonial Times,” 5/3/40; Franklin’s “Narrative of some Passages in the History of V.D.L.” (1845), pp. 7, 11.

6. Franklin-Glenelg, 4/3/37; Wilmot-Gladstone, 14/5/46; “Tasmanian Journal of Agriculture and Horticulture,” 1/7/59, 1/9/59; cp. Denison-Grey, 11/1/50.

the early forties to produce a crisis in 1843-44,<sup>7</sup> which rendered the stagnation worse than ever.

At this stage entered the influence of the new convict system.<sup>8</sup> In 1837 there had been 12,018 convicts to 12,974 freemen, and throughout the thirties the free population had increased to such an extent that the labor market had been filled, but not swamped. By 1841, for example, there were 16,391 convicts to 33,826 freemen, but in the forties this equilibrium was upset, the collapse being aided by the general depression.

In 1838, Franklin had received orders to set up in the place of assignment<sup>9</sup> a system under which probationary gangs of convicts were to be "the pioneers of the Colony," and to prepare land for settlement. After a short term within the gang a convict was to "be permitted to go to private service." Unfortunately for this rounded-off plan, the island became the sole place of transportation for English convicts, 15,000 of whom were sent within four years (1840-44). This meant that the labor market was swamped just when the bubble of 1839-42 was being pricked<sup>10</sup> and clearly the 30,000 convicts in the island could not be absorbed, for who could make agriculture pay with wheat at 3/6 a bushel, even with probation labor? In consequence the Government had to employ the men, and this competition with the distressed farmers naturally made matters worse, especially as there was no market for produce.

Valparaiso wheat had captured the New South Wales market, and a duty forbade export to England.<sup>11</sup> So too with the graziers, who were now ruined by the mainland competition which they had helped to create a few years previously. Estates therefore deteriorated by four-fifths of their value in the early forties, yet still convicts came in at the rate of 3,000 a year. They came from Hong Kong, Quebec, India and Sydney until even the hulks had to be used for their reception and, since

7. Franklin-Stanley, 24/2/42; Wilmot-Stanley, 25/5/44 (loans); article in "South Briton," 1843, pp. 24-32.

8. "Government Gazette," 1/1/39, 2/7/41; Franklin-Normanby, 14/5/39; Glenelg-Franklin, 6/7/38; for introduction, see Russell-Franklin, 6/7/40, 10/9/40; Franklin-Russell, 6/1/40 (enclosure), 9/7/41.

9. Glenelg-Franklin, 6/7/38.

10. Franklin-Stanley, 17/11/42; report of Committee on Finance, 1843; Wilmot-Stanley, 5/12/43, 29/5/44, 14/7/44. See "Hobart Town Gazette," 31/8/47, for removal of abuses.

11. Blue Book for 1842, in Franklin-Stanley, 24/2/43.

there was not the slightest demand for their services, the Government had to pay.<sup>12</sup>

Clearly the island was at a low ebb,<sup>13</sup> but gradually the position changed, largely owing to the outward movement of the graziers. Up till this time the sales provisions had remained inoperative, but pioneers had the advantage of the leasing clauses<sup>14</sup> and pushed past Lake St. Clair to the West Coast lands<sup>15</sup> and to the Deloraine country in the north-west.<sup>16</sup> After 1843, yearly "licenses of occupation" were granted, 856,000 acres being leased by 1847. But these graziers were in no wise akin to the mainland squatters, for they were merely farmers who grazed stock on lands adjacent to their freehold property. The system was similar to that of the Downs district in England, and the sheep after grazing on the mountain pasture in the warmer seasons were brought down to the farm in the winter. "In fact," wrote Governor Denison in 1848, "this Colony is essentially agricultural in its character, and any alteration which might tend to assimilate the habits of the people here to those of the Settlers in New South Wales would be a change very much for the worse."<sup>17</sup> Hence the charges were eight times as high as on the mainland, and the island authorities strongly opposed the reduction mooted in the 1846 Imperial Act.

This grazing expansion led to a demand for more labor, and, coupled with the extensive migration to the mainland after 1846,<sup>18</sup> absorbed the convict services so that by the end of

12. If they cleared and ploughed land, it could not be sold even at the upset price; if they were engaged in agriculture, the losses were greater than if they were fed in idleness; if they were given permission to seek private employment, they either returned to the depot for food or terrorised the neighborhood. See reports in Wilmot-Stanley, 23/1/46, and to Gladstone, 30/4/46, 29/8/46; Latrobe's report of 31/5/47; Comptroller-General's reports of 18/9/44, 24/1/45.

13. Thus, of 10,400 acres offered for sale in five years (1840-44), only two lots were sold. "Launceston Examiner," 6/3/44; Wilmot-Stanley, 20/5/44, 14/7/44; Surveyor-General's letter in Wilmot-Stanley, 4/6/44. See general review in Denison-Grey, 10/7/47.

14. "Hobart Town Gazette," 28/9/43; Blue Book for 1845; Denison-Grey, 27/8/50, 5/7/48.

1843	.. .. .	78,714 acres leased for	£991
1845	.. .. .	271,102 acres leased for	£4,553
1847	.. .. .	1,063,089 acres leased for	£14,278.

15. Calder's MSS. (Melbourne), Vol. 1, p. 59; Denison-Grey, 28/8/48, 27/9/49; "Tasmanian Journal of Natural Science," Vol. 2, 1843-46, article by Breton.

16. Kentish's "Report on the N.W. Quarter of V.D.L.," pp. 12-13; "Cornwall Chronicle," 19/10/44, 24/12/45; Normanby-Wilmot, 31/7/39; Wilmot-Stanley, 12/2/46.

17. Denison-Grey, 5/7/48; "Hobart Town Gazette," 4/7/48, 11/1/50. There were yearly licences for 10 years with compensation for improvements.

18. 10,012 free men left in 1846-7, and there was no immigration. Blue Book, 1847; Denison-Grey, 27/1/47, 3/6/48.



the decade the demand exceeded the supply. Thus, the number of probationers on the Government's hands decreased from 3,500 in 1846 to 1967 in 1847 and, two years later, there were only 27,476 convicts to 40,432 free persons.<sup>19</sup> The labor difficulty became more pronounced in 1849-50, when the West Coast lands were occupied and when a million and a half acres were let for grazing.<sup>20</sup> Yet the colony, with a population only one-third that of New South Wales and Port Phillip, produced more wheat than the two mainland colonies together.

At this juncture came the gold discoveries across Bass Straits (1851-2) and the complete shattering of the consolidation which had been proceeding quietly in Tasmania. The free laborers and many of the middle class crossed *en masse* to the fields,<sup>21</sup> and even those who remained could obtain no labor, for transportation ceased. Here again the gold discoveries were the determining factors for, although the colonial antagonism to the convicts had been growing since 1846,<sup>22</sup> the Colonial Office had refused to accept this attitude, because "of the readiness and indeed the avidity with which the services of the convicts in each successive ship that arrived have been engaged by the settlers."<sup>23</sup> But the gold rush changed all this for, although Denison and the Colonial Office made it clear that they still supported the system (1852), they held that "it would appear a solecism to convey offenders at the public expense with the intention at no distant time of setting them free, to the immediate vicinity of those very goldfields which thousands of honest laborers are in vain striving to reach."<sup>24</sup>

Clearly, since a third of the population had left in eighteen months, and since the colonists had been absorbing 2,800 convicts yearly since 1847, transportation was as useful from the

19. The proper proportion is attained only by considering that of the 40,432 free persons, only 13,000 were over 21. Denison's despatch, 20/1/49.

20. Denison-Grey, 16/1/52; report of 1852 committee of council.

21. Denison-Grey, 16/1/52; cp. 30/10/52.

22. For growth, see Wilmot-Stanley, 1/8/45, 4/2/45; "Hobart Town Courier," 8/5/47; "Hobart Town Advertiser," 19/12/48; "Launceston Examiner," 25/11/48, 27/1/49; Denison-Grey, 10/3/47, 24/8/47, 11/2/49; "Courier," 18/9/50; "Colonial Times" (Hobart), 17/9/50; Denison's despatches of 7/1/50, 8/4/52 (address of Council), 4/10/52. Cp. "Colonial Times," 11/7/51; "Courier," 16/7/51; "Launceston Examiner," 4/9/52.

23. Pakington-Denison, 14/12/52. Cp. support of "Tasmanian and Austral-Asiatic Review," 23, 30/1/45; Denison-Pakington, 30/10/52.

24. Denison-Newcastle, 18/6/53; Comptroller-General's report, 4/1/55.



labor point of view at this time<sup>25</sup> as it had been baneful ten years before. But, as social reasons and the proximity of the goldfields made abolition inevitable, some alternative had to be found.

Immigration under ordinary conditions was out of the question,<sup>26</sup> and, in order to prevent "the emigration of so many of the colonial youths," the Government turned to more liberal land laws. Denison commenced this by offering inducements to settlers in the back country, securing to anyone who purchased 100 acres a right over ten times the area purchased for ten years.<sup>27</sup> The result of these "quiet enjoyment" regulations, as they were called, was ruinous, for nearly a million acres of the most desirable of the remaining lands were so tied up as to "postpone for many years to come the opening of lands to future immigrants." In particular, the locking-up of the rich lands of Devon retarded the development of the North-West, and to make matters worse, less than half of the purchasers remained.

Recourse was had, therefore, to the Imperial Act of 1846, and the "quiet enjoyment regulations" repealed (1856).<sup>28</sup> This was the position at responsible government—three million acres sold, two million held under license, one million locked up for ten years, and only 123,983 acres cultivated. But so busy were the legislators in quarrelling over constitutional privileges<sup>29</sup> that they did not turn to the land question until 1858, in which year two Acts passed easily.

These retained the general principles of the 1842 Imperial Act, and auction remained the leading feature, with selection

25. Denison-Newcastle, 18/6/53, and to Grey, 30/3/52; for demand, see "Courier," 21/3/52; for general position, see the detailed returns in Denison-Grey, 20/1/49, and cp. article by Jacobs in *Revue des Deux Mondes*, 1858, pp. 336-7. "*Et les ponts, les chemins, les édifices, qui les a bâtis? La Tasmanie toute entière est due à transportation, faut-il la priver de cette ressource au moment où les bras manquent à la terre et à tous les travaux, à tel point que l'administration dépense en primes des sommes énormes sans se produire un nombre suffisant de travailleurs?*"

26. Up to 1860 the exodus from the island exceeded the inflow; an Emigration Agent at Melbourne completely failed. See Denison's despatches of 20/6/53, 15/9/53, 3/5/56 and Pakington-Denison 26/11/52. The Council made appropriations both from the land fund and the general revenue, but refused any but the bounty system.

27. "Abstract of the various land regulations in force in Tasmania since 1845" (1857), pp. 11-12. If the selector resided for five years he could hold the land for 20 years in all. Denison-Grey, 3/12/51; "Government Gazette," 2/11/51. 290,000 acres were actually bought, but most, after being stripped of the timber, were abandoned. Cp. J. B. Walker's "Tasmania" (1897), p. 10.

28. "Government Gazette," 1844, p. 592 (repeal); Denison-Newcastle, 20/7/54; Accounts and Papers, 1856, Vol. 24, p. 31.

29. "Hobart Town Advertiser," 24/10/55; Young-Russell, 27/8/55.

as the exception. The colony was divided into two portions, all lines west of a line from South Cape to Surrey Hills being "Unsettled Lands." These comprised the "New Country,"<sup>30</sup> so much emphasised in the fifties and sixties, especially the lands round Lake St. Clair in the centre and the Gordon Plains to the west. To deal with these two divisions—the "Settled" and the "Unsettled"—were separate Acts.

In the settled districts, auction applied to the three classes of town, agricultural and pastoral lands but, as an afterthought, persons were allowed to select 320 acres at £1. In the mountainous and timbered unsettled lands, areas of from 60 to 640 acres were to be *granted*, if certain improvements were effected.<sup>31</sup> To make the terms still more attractive, free leases of tracts up to 10,000 acres were given, and the lessee, if he stocked the land, was to have a right of purchase and the ownership of his improvements. Thus, there was to be auction in the older districts, free grants in the mountains.

Liberal as they were, the new regulations proved unsuccessful and, although 200,000 acres were sold in three years, the alienation was unaccompanied by settlement.<sup>32</sup> The lack of roads and the heavy payments in the first few years hindered settlers, the graziers were hampered by the limitations on pre-emption; the expenditure on roads was wasted, especially in the Devon and Franklin districts; revenue decreased; no immigrants were attracted; and only 800 homesteads were established in eight years.

A remedy was attempted in 1863, when easier terms were allowed to selectors within "Agricultural Divisions,"<sup>33</sup> while two years later facilities were provided for "associations of agriculturists."<sup>34</sup> But, since auction and a preliminary survey were insisted on, and since the basic principles were still those of 1858, failure ensued, and there was a decline in every direc-

30. Denison-Grey, 22/11/54; Cotton-Surveyor General, 16/4/55, in Accounts and Papers, Vol. 43, 1856, pp. 104-5. See fig. 13. The L. St. Clair country was opened in 1850 and was "fully occupied by flocks" five years later.

31. Clearing and cultivating one-tenth and spending £5 an acre.

32. Votes and Proc., 1862, Vol. 22, p. 30; paper 131 of 1861 for condemnation of a Select Committee. Cp. G. Whiting's "The products and resources of Tasmania" (1862), p. 33.

33. See report of Davies' Select Committee, paper 111 of 1861, pp. 3-4. Cp. 161, p. 5, and Gore Brown-Cardwell, 15/10/64. For report of 1863 Committee, see paper 64 of 1863, pp. 5, 12, and, for Act, see 1864 Votes and Proc., Vol. 16, p. 33, and appx. 45.

34. "Mercury." 12/8/63; Calder's appx. to 1863 Committee.

tion. Till 1866, emigration was greater than immigration;<sup>35</sup> the number of sheep remained stationary; agriculture advanced little; and the land revenue decreased by fully 50 per cent.<sup>36</sup>

Apart from the superior attractions of the mainland in this regard, causes operating within the colony helped the decline, the most pronounced of these being the "irresistible pressure" placed on the permanent officials by the Executive. From 1857 onwards, the policy of this Executive was to raise a revenue at any cost and to achieve this by offering "as large an amount of Crown Lands as possible for sale." Gregson's ministry commenced this policy of "cutting up lands speculatively on an extensive scale,"<sup>37</sup> but it was carried still further in the ensuing ten years, until, by 1868, £600,000 had been realised in this manner. But not one head was added thereby to the population, not one bushel more of grain produced—on the contrary, both population and production declined.

The evil, however, went deeper than that. The settlers, depressed as they were, had exceeded their "legitimate purchasing power" by thus paying over half a million pounds, but the expenditure was necessary in order to protect their land from intrusion by outsiders. Hence money was borrowed at rates of up to 20 per cent., and when the ravages of the fluke undermined prosperity in the late sixties, there was no money to offset this by the necessary improvements.<sup>38</sup>

And what fluke did to the grazier natural difficulties did to the selector, for the mountain settlement contemplated by the 1858 Act proved ineffective before the low prices of produce, the lack of roads and the shortage of labor.<sup>39</sup> Behind these facts, too, was the root difficulty of the "absolute impossibility of cultivation for many years after settlement, with any other implement than the hoe." Scrub settlement therefore broke down.

At the same time, the situation was unsatisfactory from the Government's point of view, for the land revenue, which

35. E.g., 1865-66, 39,039 came and 40,586 left.

36. Gore-Brown to Newcastle, 21/8/62; Calder's MSS., Vol. 1, p. 66.

37. Important memo. of Surveyor-General Calder, 27/9/69, in paper 126 of 1869. "Mercury," 30/8/69.

38. Report of Committee in paper 43 of 1869; cp. 65 of 1867, and Gore Browne-Buckingham, 19/9/67, and the statistician's report enclosed. Also Langdon's 1868 Committee, p. 4.

39. Till 1867 the timber trade afforded a way out, but then suddenly collapsed.



had reached its apex in 1853, fell continuously, the chief factors being the insecure tenure and the uncertain market of the grazier.<sup>40</sup> In no way, then, had there been success. Clearly, the selectors had to have more suitable lands, and the grazier a better tenure, but the Government, in some respects wasteful, was unduly cautious in this regard, and held that, although "decidedly of opinion" that longer leases would both increase the revenue and foster settlement,<sup>41</sup> this reform was expedient, because some of the land termed pastoral might really be agricultural. But a Commissioner, appointed in 1868, found that the great majority of the land could not be occupied until improvements took place, and that no improvements would be erected until a more secure tenure was granted.

No remedy was attempted, beyond the concession of the credit selection of small blocks (1868),<sup>42</sup> and in consequence selection and land matters in general lagged all through the seventies. In the great sheep-walks of the centre, Cumberland and Lincoln—"the New Country,"—much of the land formerly leased was abandoned owing to the marshes, for the tenure did not justify expenditure in drainage.<sup>43</sup> In the districts nearer Hobart—Monmouth and Bucks—only very inferior land remained, and nobody would touch it save at a peppercorn rental. The small settlers still further south on the Huon, and west on the Gordon mouth, were fighting natural obstacles, and only in "Gould's New Country" (later St. Helens) on the north-east coast, was there settlement. Here was the solitary "Agricultural Division" under the 1863 Act, yet, despite the shortage of land elsewhere, only fifteen lots were occupied. In the only other division of the colony, Devon in the north, the effects of the monopolistic regulations of the fifties were still felt, although settlement was slowly progressing.<sup>44</sup>

In all, there were 2,260 selectors by 1878 and, since 90 per cent. of the holdings were under 100 acres, most were prob-

40. Calder's report of 4/8/69. The 1868 Commissioner revealed another weakness by showing that pastoral lands in some localities worth £13,368 yearly, brought in only £4593.

41. Cp. reports of Select Committees in paper 65 of 1867, 89 of 1868 (Waste Lands), 72 (Council) of 1868 (Agricultural and Pastoral Depression), pp. 4-5. Cp. "Mercury," August, 1869, *passim*.

42. Paper 86 of 1868 for Bill. Cp. 126 of 1869, "Mercury," 20/10/69.

43. Crawford's 1868 report in paper 33, p. 15, a good commentary on the situation. Cp. Hull's "The experience of 50 Years in Tasmania," p. 52.

44. See Calder's report (89 of 1868); Report of 1867 Committee, paper 65 of 1867, p. 3; Brown's 1878 Committee (102 of 1878), p. 6.



ably bona fide in their intentions. Of them, however, 25 or 30 per cent. were defaulters, and "a very small proportion" of the remainder had met their dues.<sup>45</sup> There was little immigration;<sup>46</sup> administration, especially on the survey side, was backward;<sup>47</sup> and land settlement did not progress, although the previous Acts, consolidated in 1870, remained in force until 1890. The net result may be seen from the following table<sup>48</sup> :—

		Land Cultivated			
	Population.	Railways.	Acres.	Sheep.	
1860 .. ..	87,775	.. — ..	218,315	..	1,700,930
1875 .. ..	103,663	.. 150 ..	332,824	..	1,731,723
1890 .. ..	145,290	.. 399 ..	517,174	..	1,619,256

But, while no success was visible, neither was there retrogression. There was no locking-up of the land such as made necessary the resumption of the mainland, and the Committee of 1883 pointed out easy ways of advance—supervised settlement within agricultural areas well linked up by roads, together with permanency of tenure within "Pastoral Areas" for the graziers.<sup>49</sup> So matters stood until 1890. Tasmania had attempted no outstanding experiments—save the "unsettled lands" of 1858 and the small "agricultural areas" of 1863—and even these failed in practice. But she had realised that the mere flinging of settlers into isolated parts of the interior did not constitute settlement, and this augured well for the new stage.

45. Brown's report, 1878, p. 6.

46. Report in Accounts and Papers, 1871, Vol. 56, p. 20. A small bounty was the only aid. Losses throughout the seventies equalled the gains.

47. Denison-Grey, 28/8/48; Black's report in paper 54 of 1883.

48. For comparison with the mainland,

Increase	Population.		Cultivation.		Sheep.	
	p.c.	T.	p.c.	T.	p.c.	T.
1860-75	18 p.c.	47 p.c.	52 p.c.	128 p.c.	1 p.c.	103 p.c.
1875-90	40 p.c.	43 p.c.	55 p.c.	135 p.c.	—6 p.c.	8 p.c.

49. Paper 130 of 1883, p. 3. "Mercury," 6/10/83. But the fact that the land position was in general unsatisfactory could not be gainsaid.

## CHAPTER 25.—A COMPARISON, 1855 AND 1884.

This, the first period of responsible government, was one of change and experiment in every direction. Each of the States had tried some form of selection; agricultural methods changed; there was a practical revolution in the pastoral sphere; and the distinctively modern ideas of land settlement emerged by contrast.

There was no similarity of policy in this period. New South Wales had untrammelled free selection in large blocks, Western Australia in minute sub-holdings; Victoria had controlled selection, South Australia credit selection in certain areas; Queensland had a mixture of large alienation and small selection, while Tasmania retained auction with selection superimposed.

Not one of these experiments was a complete success. On the other hand, two of them, New South Wales and Western Australia, were complete in their failure. In the remainder of the mainland States, success or failure seemed to emerge in proportion to the presence or absence of checks on free selection. For example, Victoria succeeded after the checks of Grant's Act in 1869, yet encountered nothing but failure under the previous Acts in which the element of control was not stressed so much. Hence, at the close of the period, the emphasis everywhere was on checks—not restrictive checks such as hindered settlement in Queensland, but checks which were powerful enough to exclude speculators and yet testify to the bona fides of a selector without impeding him.

If free selection thus failed to meet the test, so also did auction. In every case where it was applied, the breakdown was evident, and the results for the future evil. Auction may have been suitable in the forties, but twenty years later it was an anachronism. Thus, South Australia met no success until Strangways' Act removed auction in 1868, and in Queensland the experiments of Douglas (1876) collapsed because they

were based on auction both in the agricultural and the pastoral fields. In the New South Wales of the seventies and the Tasmania of the early sixties, too, auction meant the wasteful alienation of the best remaining lands and a present revenue to the State at the expense of a mortgage on the future.

The effect of the land laws in each State may be gauged from the following comparative tables:—

	Area	Population		Per head of population.							
		1854.	1884.	Alienation		Cultivation		Sheep P'tage		Cult.	
		1854.	1884.	1854.	1884.	1854.	1884.	1854.	1884.	1854.	1884.
N.S.W.	309,175	251,315	904,980		27.2	.52	.94	32	35		3.4
Vic. . .	87,884	236,798	944,560	5.5	14.2	.23	2.46	22	11	5.4	17.1
S.A. . .	903,425	83,550	312,781		21.8	1.55	8.90	18	21	10.6	41.9
W.A. . .	975,920	11,743	32,958	147.8	66.0	1.19	2.41	14	47	.8	3.6
Tas. . .	26,375	64,874	127,054			1.96	3.35	27	13		
Q'land .	668,224	—	302,090		22.0		.66		38		3.0

Most noticeable in this analysis is the success of South Australia. At the beginning of the period, owing to the crisis of the forties and the operation of the auction system, South Australia was in a position relatively equal to that of Tasmania, but throughout the period, population, cultivation and stock increased steadily—a testimony to the success of controlled selection within certain areas.

Victoria's progress was not so noticeable, for the effects of the useless alienation of  $4\frac{1}{4}$  million acres in the sixties had to be counteracted. Still more unsatisfactory are the figures of New South Wales which, taking into account the general conditions of the colony, are the worst in the whole table. Not only was agriculture practically stationary despite an untrammelled access to the land, but even the pastoral expansion to the West had exercised no commensurate effect. The statistics show that free selection favored neither farmers nor squatters, but acted detrimentally to the interests of both.

Tasmania and Western Australia are shown to have passed through periods of distress, due to previous conditions and to the system of auction in the one and to free selection in the other. But the increase of stock in Western Australia found no counterpart in Tasmania, where the facilities for the occupation of mountain pastures could not be compared with Western Australia's pastoral code. Lastly, the results for Queensland were satisfactory, but not striking, and showed how the northern State was a pastoral rather than an agricultural land.

But they do not express the advance of this State as regards homesteads and small graziers.

In none of the States was there any real closer settlement and, in none, save South Australia, was an adequate area cultivated. This central period was in Australia one of rapid alienation more than sufficient for the actual requirements, and with no adequate return. In each State, save perhaps Western Australia and not so much in South Australia, aggregation took place, and large estates emerged, most noticeably in the Darling Downs of Queensland, the Riverina of New South Wales and Victoria's Western district.

The problems of the ensuing period were therefore prepared in this central division of free selection. The net results of the period were that free selection and auction were shown to have failed, and that resumption of alienated lands was a pressing need in each of the mainland States. The various experiments had been tried in practice and had ended in an identical policy in all of the States—closely supervised settlement in definite limited areas, with much emphasis on aid to settlers and little on revenue requirements. Achieved by sacrifice, this policy has since then been the leading feature in Australian settlement.

Throughout this period, too, vital changes in land *methods* were taking place, the most striking being in the pastoral sphere. This followed from the fact that, in every State, the squatter was pushed from the more accessible to the "outside" lands—in New South Wales from the Lachlan over to the Darling, in Victoria from the near West to the mallee and the mountains, in South Australia to the desert country north of Mount Remarkable, and in Western Australia from the districts immediately over the coastal range to the Gascoyne and Kimberley. The advance of settlement consequent on the growth of population led to this displacement of the old squatter, and by so doing changed his mode of life.

In consequence, the easy methods of the unfenced run and the open range belonged to the past. Fences and boundary riders appeared in the sixties and not only encircled the runs but divided the paddocks.<sup>1</sup> Many results followed this change, in

1. The best account of the change is in a MS. Memo. by Gregson in the Nisbet Papers (Mitchell Library, Sydney).—"Pioneering Days in North Queensland."



which Victoria led the way.<sup>2</sup> A staggering blow was dealt to bushrangers and cattle stealers. Less labor was required. The sheep became larger in carcase and cleaner in wool although overstocking led to results quite the reverse in later years.

At the same time, pastoral life became more capitalised.<sup>3</sup> All through the seventies improvement of runs and wholesale purchase of freehold were proceeding apace and the sheep stations of the fifties became small matters as compared with those of the next twenty years. Before this, the majority of runs probably had no more than 25,000 or 30,000 sheep but the later years of the century were those of the capitalistic squatter. Expenses increased and returns became less, for the saltbush tracts and the pallid mulga lands could not compare with the river flats and grassy downs previously occupied by the squatters.

The class of stock also changed in this central period. Previously the emphasis had been on mere numbers and there had been little change since the advent of the Saxon merinos in the thirties.<sup>4</sup> But changes were inevitable when it was realised that the area on which fine-woolled sheep could prosper was extremely limited. Ever since the early fifties the coarser and hardier Cheviots and Leicesters had been brought in<sup>5</sup> but, after 1866, a more important change came—the introduction of the much-discussed and much-abused American merino. Vermont sheep flooded in during the late seventies, especially after Sir Sam McCaughey of Coonong bought £70,000 worth at once. Since then, therefore, Australian prize sheep have not been so much of the old straight merino type as sheep with all kinds of wrinkles and folds on their skins. “Nice fine wool,” as the old phrase went, was replaced by a stouter and more useful combing wool, the change undoubtedly adding to the value of the flocks.<sup>6</sup>

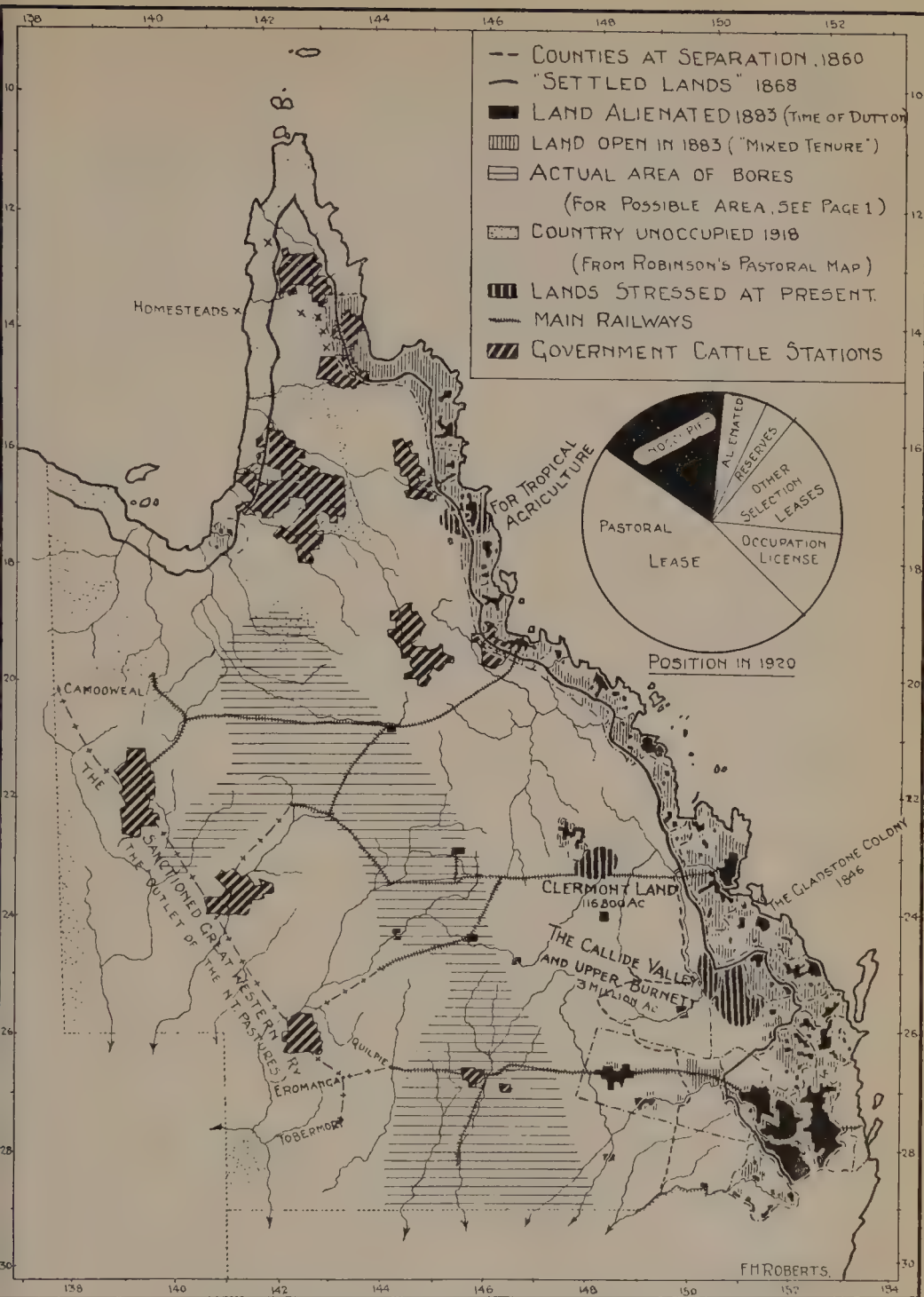
2. Fetherstonhaugh's "After many days," p. 74; Australian Agricultural Company's half-yearly report, 7/2/77, p. 8; Gormly in "Wagga Wagga Express," 26/2/16; "Namoi Independent," 11/6/14 (for first fence of 1856); pamphlet by C. R. Gordon, "Fencing as a means of improving our Pastoral Lands" (1867); Gregson's MS. Memo, pp. 5-7. Gregson holds that fences "rescued the pastoralists from what appeared to be unavoidable ruin."

3. E.g., "stupendous works" on all the river runs. See "Lachlan Reporter," 15/9/65. For account of run in this district under the new conditions, see "Chambers' Journal," 5/3/81, or Améro's *Les Squatters dans l'Australie Nouvelle*, p. 78 et seq.

4. For renewals of this stock, see "Brisbane Courier," 15/6/61.

5. Lloyd Papers (Mitchell Library), Vol. 2, p. 173 et seq.

6. See valuable series of articles in "Maitland Mercury," 1895-6.



## AGRICULTURE IN QUEENSLAND

Fig. 56.



But even further changes occurred for, after the merino had been thus "reconstructed," there arose a general demand for cross-breeds because they combined a profitable fleece with a good carcase. This was the keener in the later years of the century when crossbred wool was even bringing more than merino and when too the frozen meat trade<sup>7</sup> added to the value of the animal by using the carcase. This export trade commenced from about 1880 and, although New Zealand sheep were better suited for the purpose, the Australian colonies soon participated.

But the changes were not sufficient to counteract the increased expenditure, for everything combined to make pastoral life more expensive—rabbits and scab and pleuro, the changing land laws and the free selectors, dams and artesian bores, high interest rates and uncertain markets. At the beginning of the period, the squatter had a simple problem and a comparatively safe return. He had to raise healthy sheep with a heavy clip, for which he received about a shilling a pound but, at the end, the problem was more difficult, the expenses heavier and the return far more uncertain. The sheep had to be of a higher grade, the changing fashions in wool had to be studied, and eight-pence a pound was considered a good price. Hence, the new squatter was rather a pioneer reclaiming the desert than a monopolist of grasslands and indeed, by the end of the period, many were merely working overseers for banks.

If the lot of the pastoralist had thus changed, so too had that of the farmer. At the beginning of this period, agriculture was in much the same position as it had been for decades and existed nowhere outside the Downs in Queensland, the central land of Tasmania and the country round Adelaide.<sup>8</sup> Until the forties, the ground was usually tilled by the spade and even where a plough was used it was an unwieldy contrivance of wood. This, with a harrow of wooden cross-bars and wooden pegs, constituted "a first-class agricultural outfit." The wheat, when ripe, was cut with a reaping hook and threshed by the flail or trampled out by horses. Such methods lasted well on to the

7. For emergence, see "Sydney Morning Herald," 3/6/83.

8. The station wheatfields rarely exceeded five acres. See Gormly in "Wagga Wagga Express," 26/8/16.



central period in many cases and accordingly farming was slow, wasteful and slovenly.<sup>9</sup>

The first innovation had come before this period but did not achieve its full success until the lighter lands further out were occupied. This was Ridley's stripper, invented in South Australia in 1842, and it is certain that without it the lands in the north of South Australia could never have been occupied. Stripping became known as "the Australian system of harvesting"—the cheapest in the world.

Under these conditions, the lands under Strangways' Act in South Australia and under Grant's Act in Victoria were occupied and the economy of the stripping operation<sup>10</sup>—which both reaped and thrashed—enabled growers to live on land where the crops averaged only five bushels to the acre. Such labor-saving devices as the stripper and the double or even triple furrow plough placed the Australian farmer in a much better condition than the American at this period and, at the same time, increased the produce to 12.31 bushels per acre.<sup>11</sup>

However, this was only a commencement and, at the close of the period, the trend was towards closer settlement, mixed farming and irrigation. The farmers were preparing to penetrate the mallee lands of Victoria and South Australia; and "dry farming" methods were to come within a few years.<sup>12</sup> The farmers prospered as the squatters declined and this period from 1855 to 1884 saw their rise to predominance, although it must never be forgotten that the pastoral industry was, and is still, the more productive of the two. It is the staple. Nevertheless, the position of the squatters had vitally changed and the new period (1884 on) opened with a consensus of opinion that the stockmen were to go to the back lands and that the emphasis

9. See "Catechism of Practical Agriculture" (36 pp., 1856); "Sketch of Agriculture in New South Wales, 1819" (MS. in Mitchell Library); Hunter-Portland, 7/1/00; Piper Papers, Vol. 1, p. 436; appendix 3 to Garland's "Wagga Wagga" for article on "Old Methods of Farming"; "Wagga Wagga Express," 12/2/12.

10. See article by J. L. Dow, in "Illustrated Handbook of Victoria" (1886), p. 38. For the emergence of agricultural machinery, see Annual of Royal Agricultural Society, 1915, pp. 111-134; F. A. Isaacs' "The New Age"; Journal of Agricultural Society of N.S.W., 1877, pp. 67-77, article on "Improved Agriculture"; "Proc. of Royal Agricultural and Horticultural Society of S.A.," 1881-2, p. 29, et seq. for spread of scrub-lands; "Agricultural Society of N.S.W.," February, 1902, pp. 154-66.

11. Victorian Year Book, 1883-4, pp. 420, 608. U.S.A. had an average of 13.2; the Cape of Good Hope, 9.0; and England, 26.

12. For scientific study of the problem, see "Victorian Review," 1883, pp. 315-332 (Crichton); Agricultural Gazette of N.S.W., March, 1911, pp. 189-202, for advance. Cp. "New Zealand Country Journal," July, 1894, p. 336 et seq. To grasp the advance, contrast A. Lincoln's "Australian

was to be on the small farmer. The central period, in a word, had changed the face of the land and had determined the nature of later policies.

Farmers' Guide" (1869), or E. H. Riddle's "Practical Farming" (1869). See Annual of Australian Agricultural Society, 1911, pp. 510-524, or article in "Australia To-day," 1913, for new standpoint.



## PART V.

### THE PERIOD OF CLOSER SETTLEMENT.

1884-1920.

"And he gave it for his opinion, 'that whoever could make two ears of corn, or two blades of grass, to grow where only one grew before, would deserve better of mankind, and do more essential service to his country, than the whole race of politicians put together.'"—*Swift*.

"The proper order of events is, first, pastoral occupation in large areas—practically detailed exploration of new territory; then mining in the all too few localities where minerals exist; then the gradual subdivision and development of the land for higher utilization. In due course come the big farmers, but not to stay. In their turn, as higher cultivation is adopted, subdivision goes on, and they disappear, and so the progress and prosperity of the colony will advance. Omit any one of these and difficulty results."—*Holder, a squatter, in 1892.*





## CHAPTER 26.—THE EXPERIMENTS OF 1884 AND AFTER.

The year 1884 was clearly the opening point of the new era<sup>1</sup> in land legislation for, in that year, entirely new Acts were passed in three States (Queensland, New South Wales and Victoria) and the principles of new ones propounded in the other three. In all there was a limitation on free selection and an emphasis on supervision within agricultural areas<sup>2</sup> while, in one—Queensland—a revolutionary change in tenure was attempted at the same time.

### I.—*New South Wales and the Division of Leases.*

By the early eighties, there was a feeling in New South Wales that Robertson's ideas, however useful they may have been in 1861, were inapposite to the conditions of twenty years later. In the meantime alienation had increased six-fold<sup>3</sup> and now settlement was encroaching on the saltbush lands. It was necessary to stop one class from fighting another and to aid both in the back lands.

After an appeal to the people, therefore, Farnell introduced a Bill to restrict free selection. The colony was to be divided into three districts (East, Central and West), in each of which there was to be a Land Board<sup>4</sup> to keep the administrators in touch with actual conditions. In the nearest district, selections of 640 acres were to be allowed but, in the less settled central district, the maximum was increased fourfold. To provide the land, each squatter's run was to be divided into two portions, one-half to be retained by the lessee, the other—"the resumed area"—to be opened to a class of small

1. For the position, see "Land Settlement in Australia," in "Victorian Review," Vol. 7, 1882, pp. 44-57.

2. For a general summary and criticism of the trends at this time, see Leroy-Beaulieu's *Les Nouvelles Sociétés Anglo-Saxonnes* (1901), p. 146. The new policy rightly abandoned auction but "*elle contenait cependant, déjà la germe d'une intervention excessive de l'Etat dans les affaires des colons, et l'on y trouvait la trace d'un esprit hostile à la grande propriété.*"

3. "Sydney Quarterly Magazine," 1887, pp. 368-378. Debates, 1882, Vol. 7, p. 1182. For Stuart's summary of his policy, see Vol. 7, p. 1185, for Robertson's, Vol. 10, pp. 371-9, for people's attitude, Vol. 10, p. 428.

4. Farnell had suggested this idea in 1878, deriving it from U.S.A.

sheep farmers, men for whom conditional purchases were too restricted and squatting areas too dear, in short, Queensland's middle-tenure men.<sup>5</sup> The rights of all classes were thus diminished but the remaining ones were rendered more secure.

The Bill passed both Houses easily with its principles untouched, as Robertson had no effective arguments against it. Unfortunately, however, its introduction coincided with a period of stress,<sup>6</sup> due to the drought, the delay,<sup>7</sup> low prices, the rabbit plague, and the spread of scrub in the Darling lands.<sup>8</sup> The upshot was that the new classes under the 1884 Act were "created to be crushed," especially in the west where only 200 small settlers came forward and where, in consequence, the resumed half of every run became a breeding-ground for vermin.

Therefore, a relief measure in 1889<sup>9</sup> gave larger areas to selectors both in the east and the west, allowed renewals to the squatters of the two outside divisions and, to deal with troublesome points, established a Land Court. Thus were the ideas of 1884 extended in practice but untouched in principle.

But the natural difficulties continued and by 1890 nearly 1200 squatting areas were in the hands of financial institutions<sup>10</sup> while, in the central west, kangaroos and bandicoots had replaced the settlers. By 1893, eight million acres which

5. For opinion of people, see "Sydney Morning Herald," 12, 16/10/83, and conference of free selectors, 25/10/83, et seq. The lessee was to have half for 15 years with a right of renewal. In the West, ordinary selection was banned, save in certain special areas. Debates, Vol. 14, 1883-4, pp. 4847-4851.

6. This was the more difficult since the premises of 1884 were largely those of the boom period of 1882 when "the West seemed made of gold," and when Bourke was to be "the Chicago of the West." See Lyne's "The Industries of N.S.W." (1882), ch. 28.

7. Debates, Vol. 17, 1885, p. 2. The division of runs, too, "was found to present difficulties greater than were at first anticipated." See "Divisions of Holdings under the 1884 Act" (1886)—313 pp. (East), 162 pp. (Central), 423 pp. (West).

8. "The Great Central Scrub" lay between the Murrumbidgee and the Darling from Booligal to the Bogan. Melbourne "Argus," 17/3/84.

9. After two failures in 1888. See Debates, Vol. 28, 1887-8, pp. 747-762; Vol. 29, pp. 1273-91 (abandoned because too radical). "Herald," 27/10/87, 11/11/87 (withdrawal), 5-10/4/88 (second Bill). For the position, see "Sydney Quarterly Magazine," 1886, pp. 581-90. The new areas allowed were 1280 acres in the East, 2560 in the Central, and 20,480 in the West. Even then, see Debates, Vol. 38, 1889, p. 1384, for Queensland's greater inducements. The Act of 1889 swept away another grievance, the frequently exercised power of the Minister to alter the Board's rentals. See Alison versus Burns, in Privy Council Appeal Cases, 1890, Vol. 15, pp. 44-51. Debates, Vol. 38, p. 1342; Vol. 46, 1890, p. 2109; Vol. 47, p. 3605.

10. 623 runs and 577 occupation licences from resumed portions. Debates, Vol. 38, 1889, p. 1506.

had been previously under occupation licence were abandoned<sup>11</sup> and throughout the nineties, owing to the stress on fiscal and constitutional problems, there was a drift in land matters, the area occupied shrinking all the time.

Not till the fall of Parkes was there an attempted remedy and then (1894) not half of the land available was occupied, and there was "barely a ray of sunlight in the situation." There were only 41,400 country holdings and even these were diminishing, so that Carruthers proposed to give "long leases—a secure tenure on an improvement basis," really perpetual leaseholds with "the old name of freehold." For the pastoralists, the division of 1884, since it was "a rule of thumb that has no logic or sense to commend it," was to be rescinded and Carruthers proposed to leave the squatter in possession of the whole of the land until it was actually needed and then to resume the smallest area necessary, giving in return an extension of lease proportionate to the area withdrawn. This compromise was both fair and practical—determined by "a mathematically just rule, tempered by the equities and fairness of the case." Thus, after ten years of waste, the resumed areas of 1884, both in the centre and the west, were again placed under pastoral lease.<sup>12</sup>

But the redress came too late. Most of the western graziers were hopelessly involved<sup>13</sup> while even the selectors endured "untold losses and hardships." Yet the Carruthers Act, one of the most practical ever placed on the Statute Book, had its effect. Within two years, cultivation increased by 35 per cent. and "thousands of residential holdings" under lease were taken up.<sup>14</sup> The scrub lands of the West Bogan were successfully occupied and, owing to the variation of the assessments according to quality or situation, the nearer settlers prospered.

In the west, however, distress grew, for beyond Dubbo was the land of low rainfall, "Sturt's heartless desert," where

11. 153 licenses were abandoned in 1892 alone. See 1892 report of Lands Department, or Debates, Vol. 62, 1892-3, p. 582.

12. See the valuable paper 154A of 1894-5, summing up the situation, with diagrams. For "the ideas of 1895," as they were termed, see Debates, Vol. 72, 1894-5, pp. 435-7. See p. 555 for criticisms, the only one of importance being that lease meant a loss of revenue.

13. Debates, Vol. 72, 1894-5, pp. 578-81. "Herald," 14/9/94.

14. Report of Lands Department, 1897; Debates, Vol. 92, 1898, p. 3.



droughts were not occasional incidents but inevitable.<sup>15</sup> There—where the 1884 Act had caused overstocking in order to meet the increased rents—the rabbits had eaten the grass and even the edible shrubs. There, too, the sandstorm was supreme, completely burying rabbit-proof fences in one part and in others carrying away the soil for six feet beneath them. Buggies could drive over high stockyards, and homesteads had to be surrounded by palisades.<sup>16</sup> In these desolate areas, hundreds of miles from markets, the higher rentals and the lower wool prices of the 'nineties<sup>17</sup> spelt ruin. The number of sheep declined from over sixteen to five millions in this decade and the pastoral properties were depreciated from 50 per cent. to 80 per cent.<sup>18</sup> Six million acres were abandoned and, at the dawn of the century, the sheep were still dying, the rabbits pushing to the east and desertion taking place.

The drought of 1901 was of an unprecedented severity and, so far from the proposals of 1884 and 1889 setting up a new class of smaller homesteads, there was less settlement in the west in 1900 than there had been in 1860. To remedy this, an Act of 1901 instituted a "Western Lands Board" to classify the land and to help the lessees. All were to have security for 42 years and the rental was to be determined according to the condition of each individual run.<sup>19</sup> Useful improvements, such as wells, were vested in the lessee, who after this was to encounter only the natural obstacles. The Board, which is still in operation, proved a great success but progress in the west must of necessity be slow and safeguarded, although recently soldier settlement on moderately large areas has provided a more hopeful outlook.<sup>20</sup>

More rapid was the effect of the homestead provisions in the east and centre. In these districts, too, the land boards

15. See report of Select Committee on Western Lands, 1891 (paper 27a), p. 5. It recommended a Board like that of S.A., a re-appraisement and a longer tenure. See pp. xviii.-xxiv. Cp. "Agricultural Gazette," August, 1900, pp. 652-7.

16. These instances were proved. See report above, pp. viii.-ix. and illustration.

17. Greasy wool was 11.1 pence per lb. in the seventies, 8.6 in the nineties.

18. 1901 Committee, pp. x.-xi., Debates, Vol. 4 (N.S.), 1901, p. 3775, 197 of a total of 307 lessees were boundary riders for the banks.

19. Varying from twopence to sevenpence a sheep.

20. This necessitated an amendment (1918) giving increased powers of resumption and providing for subdivision on a living-area basis. The areas had been increased to 22,000 acres by the 1901 Act. Debates, Vol. 68, N.S., 1917-8, p. 1690.

were given powers akin to those of the Western Land Board<sup>21</sup> (1903); and the emphasis has been on the determination of a "living area" according to the actual circumstances of each plot. Hard and fast rules were replaced by a discretionary power vested in the board, more than the maximum area being allowed if the circumstances warranted.

Such selection "on the basis of a living area" turned out to be "the most successful form"<sup>22</sup> tried in New South Wales and, by 1911, ten million acres had been taken up under the 1894 Act. Settlement had spread to lands hitherto deemed useless such as the Pilliga scrub land (1905) or the famous Dorrigo<sup>23</sup> in the north. The demand for land was so keen that there were 700 applicants for 36 homestead blocks and this continued from the passage of the Act until the outbreak of hostilities in 1914. Acts were passed to give special terms to selectors of heavily timbered lands (1905) and to encourage settlement "beyond the zone of railway services" (1913);<sup>24</sup> and everything possible done to extend the principles of the 1884 Act on its selection side. Safeguarded selection was always the aim; the frequent Acts merely applied this to changing circumstances.

Of recent years there has been a turn to the Murray and the North Coast, to facilitate which the Federal Government offered in 1922 to advance six million pounds to New South Wales, on condition that it was expended upon the southern rivers and the northern tablelands.<sup>25</sup> The emphasis has been on the expansion of the wheat belt, for it is estimated that, with an adequate construction of railways, the area under wheat in New South Wales can be increased eight-fold. The

21. Debates, Vol. 11, N.S., 1903, p. 1167; Vol. 13, pp. 3090, 3101. The upset price of country was, at the same time, reduced from 25/- to 15/-."Sydney Morning Herald," 31/7/03.

22. Despite the corruption of 1905. Debates, Vol. 25, pp. 464-6, and opening speeches of 1907. Also Royal Commission of 1905. The Minister for Lands was criminally prosecuted for corruption, and the whole matter directed attention to the weakness of administration, unfavorable comment being most noticeable in America and Britain.

23. See report of Lands Department, 1904, p. 1; "Agricultural Gazette," April, 1911, pp. 277-90. Debates, Vol. 21, 1905, pp. 4663, 4749. Melbourne "Argus," 25/11/13, for demand—3000 applicants for 43 lots. Cp. "Sydney Morning Herald," 28/11/12.

24. Debates, Vol. 50, 1913, p. 687; Vol. 51, p. 1149.

25. Paper 240 of 1922, Second Session, for agreement of November, 1922. See also N. Coast Railway Bill of 1906, in Debates, Vol. 24, p. 2993, and cp. report of Railway Commissioners, 2/10/06. For the most recent agreement, see paper C49A of 1922 for changes by "Empire Settlement Act of 1922" (12 and 13 Geo. V., c. 13). Cp. "Sydney Morning Herald," 8/8/23, for activity.

Department of Agriculture is confident that over 26,000,000 acres are suitable for grain crops<sup>26</sup> and, despite the drift to the centres of population and the bad seasons since 1914, the area cropped has increased. Thus, since the squatting problem is settled and since the farmers know that the wheat belt can expand, the matter is one of providing sufficient inducements—not so much land laws as railways or the results of agricultural research.

## II.—*Victoria and the Outer Lands.*

In Victoria, Grant's 1869 Act had expired in 1880 after having secured "the alienation of almost all the agricultural land in the colony."<sup>27</sup> Selection had so changed that, at the end of the period, fourth or fifth class grazing land was being taken up as agricultural. At the same time, the pastoral tenure had been virtually destroyed, for less than half the runs had more than a thousand sheep. There remained "mere remnants of runs" on the one hand, and stony mountain land, on the other.

To deal with this situation and to end the delay which had commenced in 1880, Tucker proposed (1884) more lenient terms than had previously pertained.<sup>28</sup> The pastoral tenure was to give way<sup>29</sup> to a system under which small blocks were to be leased for sheep-raising while the rest of the land, suitable only for joint farming and grazing, was to be cut up into 1000-acre leases. The land which was useless was to be auctioned and the whole Act was clearly one to deal with fragments of the public estate, fragments, too, which were distinctly inferior.<sup>30</sup> Based on the 1869 principles with a little auction and a little leasing, the Bill attracted no attention,<sup>31</sup> save as it affected mining,<sup>32</sup> and easily became law.

Unlike New South Wales, Victoria started her new land

26. Select Committee on the Agricultural Industry, 1921, p. 44.

27. See map in 1878, to show that only the Mallee and Gippsland remained.

28. Debates, Vol. 45, 1884, pp. 497-505. "Argus," 10/7/84.

29. See article in "Victorian Review," 1879, pp. 105-117 (Horsfall). The person who leased 1000 acres was able to choose 320 as freehold.

30. Debates, Vol. 46, 1884, p. 766.

31. There was scarcely a quorum at the second reading. Cp. Debates, Vol. 46, pp. 772, 799, 906, 1026.

32. "Ballarat Courier," 12/8/84; Debates, Vol. 46, pp. 954, 989; "Bendigo Advertiser," 10/3/84; meeting of the "miners' Parliament" at Creswick. Cp. Vol. 46, p. 1053. "Argus," 21/8/84. The miners fought for non-alienation of auriferous lands, and won.



law in a period of prosperity and, despite the competition of Riverina sheep and Queensland bullocks, rural industries flourished. Railways were pushed into the agricultural districts under the "betterment principle," by which the new value due to the railway went to the Treasury.<sup>33</sup> The sale of land, furthered by the 1898 amendment, steadily increased; agricultural exports were greater than ever before and commissioners were sent even to India to open new markets.

To accelerate this progress came the principle of classification. It was realised that there were only 300,000 acres of first and second class lands left<sup>34</sup> and that, even of this limited area, half was not available. The only good lands—in the heavily timbered South Gippsland and the Otway Ranges—were difficult of access and of limited agricultural value, though useful for dairying. The inferior lands were either the swamped river-flats or poor granite plains or high lands fitted only for summer pastures. The principle of the Bill was to classify these lands and to arrange for varying areas in each class, the terms being easy so long as the conditions were performed.<sup>35</sup> But so little land remained that it was compared to "setting a steam hammer in operation to crush a nut" and, though the classification served to make the map look "like Joseph's coat," it did little else, for not even the most liberal inducements could lead a person to take these lands.<sup>36</sup>

By this time, however, the Mallee had changed the situation. This was an area of fourteen million acres, covering a triangle with a base of 180 miles along the Murray and consisting of sandy ridges, almost waterless and covered with a strange dwarf gum tree ("Eucalyptus Dumosa"). A Com-

33. In 1891 Act. Debates, Vol. 68, 1891, pp. 3059-60, 3346.

34. For position, see Debates, Vol. 88, 1898, p. 1191. "Age," 16/12/91. The receipts of auction under the 1884 were kept for this purpose, too.

35. Debates, Vol. 88, 1898, pp. 1190-8. The principle was that Boards were to classify the lands, and grant agricultural allotments from 200 to 320 acres, grazing allotments up to 640 acres, and "grazing areas" from 200 to 1280 acres. At the same time, the long-standing Section 32 (the Section 42 of 1865) was dealt with. By this time there were 8885 such agricultural leases covering 3,321,205 acres, and the holders were allowed to select 640 acres as freehold. The Act also instituted leases and reduced rentals everywhere. "Age," 11/11/98; "Argus," 16/11/98.

36. An Act of 1900 still further liberalised the classification. "Argus," 13/12/00; Debates, Vol. 96, 1900, pp. 177-181.



mittee of 1879<sup>37</sup> had described it as "a vast wilderness dotted throughout with specks of what appear to be good land and set in a framework of undoubtedly good soil" but mainly desert, requiring more than a hundred acres to graze one sheep.

This land had been partly stocked from the late forties onwards<sup>38</sup> but, even by 1882, there were only 145 runs spread over nine million acres and carrying less than 122,000 sheep. From 1877, too, there came the rabbits, and so rapid was the abandonment that the entire area bade fair to become "a huge breeding-ground for rabbits and wild dogs."<sup>39</sup>

Thus it was clear that "further delay would be almost criminal" and the Government passed a measure in 1883 to enable settlers to clear the land of its pests and to hand the country back to the State after the lapse of twenty years.<sup>40</sup> The river frontage was to be divided into small blocks with larger areas of the back country attached and, as the terms were easy and the occupants' rights safeguarded, the Act "proved entirely successful." Not only was previously abandoned territory re-occupied but even four million acres which had never been settled were taken.

But while improvements were going on under this Act, a change came (1887), for it was discovered that the Mallee was "admirably adapted for agriculture" and that the conversion to farming could be easily accomplished by the new implements—the "Mallee roller" to level the scrub with the ground and the "stump-jump" plow, which explains itself.<sup>41</sup> A rush therefore set in, for no other land remained. German settlers poured across the boundary from South Australia and proved the worth of the Warracknabeal lands, while the Chaffey Brothers showed what could be achieved on desert country.

This led to a curious device. In 1889, the Mallee settlers

37. Paper 73 of 1879-80, pp. 7-8; "Age Annual," 1882, p. 96, 80 per cent. "almost worthless." Debates, Vol. 37, 1881, p. 694. See White's report of 1849-51, in Victorian Historical Magazine, Vol. 4, 1915, pp. 62-3. For good account by Kenyon, see p. 25.

38. Articles by Kenyon in Victorian Historical Magazine, Vol. 4, esp. pp. 3-4.

39. In 1875, it produced 5000 bales of wool, in 1882, 900. "Age," 3/8/83; Debates, Vol. 43, 1883, pp. 452-3; Royal Commission of 1879, quest. 10,216.

40. Debates, 1883, Vol. 43, p. 453. No cultivation was allowed. Cp. Vol. 37, 1881, p. 697; Vol. 66, 1891, p. 171.

41. Debates, 1891, Vol. 66, pp. 808, 818.

obtained a right of selecting 320 acres of their allotments.<sup>42</sup> Therefore, to enable as many people as possible to select in this manner, the lessees of Mallee blocks began to subdivide their holdings into small allotments.<sup>43</sup> This undoubtedly led to more settlement and gave an increased rental to the State but, on the other hand, middlemen obtained a profit and the lessees were clearly usurping the State's functions in thus subdividing.

A Committee in 1891 therefore declared against this speculation but, within nine months of their report, nearly 140 transfers were effected and, by the middle of 1891, 853,489 acres had been subdivided,<sup>44</sup> the demand still increasing. By this time, the settlers often paid a bonus of as much as £1 an acre to the original holder for a subdivided holding and received a tenure which was as uncertain as it was anomalous.

Hence, a demand arose for a right of all Mallee settlers to select 640 acres on the usual terms but this was thwarted by the opposition of the Council until 1895. Then Cuthbert's Act reserved all land within three miles of the Murray, the box-flat country, for the future and not even in the interior was a person allowed to hold more than three square miles of Mallee land.<sup>45</sup> The result of the concession was that three years later, despite the long drought, there were 60,000 persons in the Mallee, and Lascelles' experiments in tenant farming at Lake Tyrell,<sup>46</sup> in the very heart of the Mallee, were showing what might be done in the future.

42. Debates, 1889, Vol. 62, p. 2500. See inset on figs. 55 and 67.

43. Mallee "blocks" could not be alienated, but, by calling them "Mallee allotments" (smaller holdings), selection could go on. This was agreed to by the Crown Solicitor's opinion of 26/10/87. "The policy of the Act," he said, "appears to encourage as large an amount of settlement as possible on Mallee lands, and accepting the surrender of 'blocks' and subdividing them into 'allotments' would seem to be a furtherance of this policy." Stopped in 1891, the practice continued privately, and so the later settlers had no right of selection. Hence the agitation. See Debates, Vol. 66, 1891, pp. 171, 804, 794. The State could not resume and subdivide because of the "unknown quantity," the compensation promised by the 1883 Act, which remained until 1903.

44. See report of 17/9/91, and discussion in Debates, 1891, Vol. 68, p. 2321. Cp. Vol. 69, pp. 699-701, *résumé* by McColl.

45. For the struggle, see Debates, Vol. 71, 1892-3, pp. 3092-7; "Age," 29/2/93, 2/3/93; "Leader" (weekly), 27/12/94; Debates, Vol. 76, 1894-5, pp. 1619-23; "Age," June, 1894, *passim*; "Argus," 25/5/95. Cp. reports of Wrixon's 1891 Committee and 1895 Parliamentary Standing Committee on Railways. Cp. report of latter, June, 1898. For the successful Bill, see Debates, Vol. 79, 1895-6, pp. 3435-6.

46. See agreement in full in Debates, Vol. 71, p. 3121. Cp. Vol. 81, 1896, p. 1147; for his permission to cultivate, see Vol. 85, 1896, p. 1192; Vol. 93, 1900, p. 3043. "Argus," 17/1/00.

Acts of 1898 and 1899<sup>47</sup> fostered this advance by allowing classification of Mallee lands and by setting up small settlers in "the Little Desert" round Dimboola. So successful were these experiments that by 1907 the whole of the fringe (3½ million acres) had been taken up and the penetration of the interior wheat lands depended only on water and railway lines. An Act of 1907<sup>48</sup> provided for small homesteads along the river, and the irrigated frontage was extending from Mildura to Nyah and the surrounding lands. Over three-quarters of a million acres were in wheat alone and the desert of 1880 had become the most desired portion of the colony.

Then came a turn to other outlying portions of the State, particularly to the hill-country of Gippsland,<sup>49</sup> the development of which depended on road construction. Dozens of families clambered over the gullies to the Fumina lands and "gathered there like diggers waiting to put pegs in."<sup>50</sup> There were 200 applicants for one Gippsland block alone (1902) and settlement gradually developed in the mountain spaces until, in 1920, there was a turn away from irrigation to these back lands. Twice (1919-20) attempts were made to relieve the selectors' lot and to re-classify the mountain lands, for it was clear that the Beech Forest and the Gunyah-Gunyah lands had been neglected and that the selectors of Cape Otway and South Gippsland had been unduly penalised.<sup>51</sup>

But not until 1921 were there any inducements to improve holdings, although in that year exemptions from rental were allowed in proportion to the area cleared and a grant was promised if most of the land was kept improved for ten years. The mountain settler received a tardy redress in this manner, for there was no reason why the 45,000 ordinary selectors under the Land Acts should have been neglected for so long.<sup>52</sup>

During these same years, too, an attempt was made to open the middle west for settlement. These were the lands

47. Debates, 1898, Vol. 88, pp. 1213-5; 1899-00, Vol. 93, p. 3037. At Dimboola, the Government allowed £1 per £1 to occupants, and a free grant if certain improvements were effected. Extended in 1904.

48. "Journal of Agriculture," July, 1907; Debates, 1907, Vol. 118, p. 2763. Stress is now on the Millewa lands, where 140,000 acres have been surveyed.

49. "Argus," 12/11/02; Debates, Vol. 101, 1902-3, p. 487.

50. Letter in "Age," 8/12/02. Debates, 1902-3, Vol. 102, p. 2188. For result of neglect, see Vol. 120, 1909, p. 110. Cp. "Argus," 20/7/12, 13/8/12.

51. Debates, Vol. 159, 1921, p. 1334. "Argus," 30/11/21.

52. "Age," 10/9/20; Debates, Vol. 155, 1920, p. 1318.









alienated under the Acts of the sixties and, though they lay directly across the track of settlement, were in much the same position as they had been sixty years before. In three counties there were 100 fewer families than there had been thirty years previously and for miles no homesteads could be seen. Therefore in 1907—a period of inflated land values—Bent's Government proposed to acquire this land compulsorily, open it up for closer settlement, build a light railway, and afford a better outlet to the Wimmera.<sup>53</sup> The Council, however, summarily rejected the scheme on the plea that it was an unfair discrimination against the land-owners of one portion of the State, and the west remained a sheep-station.

Since then, irrigation has absorbed attention and, although new lands were slowly opened, expansion was discouraged after 1914<sup>54</sup> and, after the elections of 1917, settlement was sacrificed at the altar of economy. The State of Victoria is such that the emphasis of necessity has to be on the irrigation lands and the repurchased estates. The old selectors on the mountain lands merely undertake a campaign against nature and all that can be done is to afford them relief.

### III.—*Queensland and Pastoral Rentals.*

By 1883, the need for a change in the Queensland land laws was manifest, the direction of the change being determined by the new "democratic spirit"<sup>55</sup> which had emerged. At the head of the reformers was Henry Dutton, a liberal-minded squatter, who had fallen under the influence of Henry George. He proposed a policy of "leasing, pure and simple" with "no truce, no compromise, no concessions" of any kind.<sup>56</sup> Attributing the previous failures, not to administration, but to basic errors of principle, he mooted a policy of lease with

53. Debates, 1907, Vol. 116, p. 651. "Argus," 16/8/07. The railway was to go from Ararat, via Willaura and Gheringhap, to Geelong. "Age," 25/11/07. Rejected by Council by 22 votes to 5, 20/11/07.

54. This was accompanied by a reaction against the immigration boom of three years before. Cp. failure of American efforts. "Argus," 2/4/13; "Age," 9/5/14. For attempted revival, see "Argus," 21/2/14, 26/7/15.

55. Bernays, *supra*, p. 521.

56. Debates, Vol. 43, 1884, pp. 251-2. Bernays, pp. 101-3 for Dutton. "Progress and Poverty" was his Bible."

control by a Land Board, "removed from political or any influence."<sup>57</sup>

The land to be settled was to come from the squatters' runs, portion of which, proportionate to the expired term of lease, were to be resumed. Dutton wished, too, to take away the squatters' pre-emptive right<sup>58</sup> but the Council left this discretionary to the Government of the day.<sup>59</sup>

The newcomers were to obtain a lease but, as a concession to "the sentimental objections and prejudices of a large class of people," freehold could be obtained after ten years' occupation. The areas allowed were larger and more elastic than under previous Acts, for Dutton held that they had entailed a perpetual gamble with starvation. He therefore arranged for a regular gradation to suit all classes—agricultural farms for large farmers, grazing farms for those who combined stock-raising and agriculture, and still larger "grazing leases" for small squatters. In all cases, rentals were lower and every encouragement afforded to occupants, provided that no aggregation was attempted.

In the passage of this Act, the *quaestio vexata* of leasehold attracted little attention, as compared with the storm-centres of pre-emption and the Land Board. The principles<sup>60</sup> were untouched but, once in practice, their weakness became evident. The point was that, in considering his ideal, Dutton had neglected the financial aspect, declaring, in fact, that the cost of administration and the diminution of revenue were

57. "The keystone of the whole fabric." The aim was to prevent such prevalent evils as false declarations by leaseholders, "shameful evasions" under the agricultural clauses, the holding of the Darling Downs "by a few large holders," the failure of prosecution, the political tinge given to land administration, and kindred evils. See 1883 report of Commissioner for Darling Downs. The Board was to recommend decisions to the Minister on such matters as assessment of runs and farms, the fixing of maximum areas, the prevention of subletting and, most important, the choice of which lands should be resumed from lease.

58. The 1869 Act had allowed the lessee to buy 16 per cent. of the runs at 10/-. The provision had been abused by capitalists from Victoria.

59. "Queensland Times" (Ipswich), 4/12/84. Dutton insisted that it had meant "the picking of eyes" to the extent of a million acres.

60. For popular opinion, see the "Northern Argus" (Rockhampton) for belief of the north in Dutton, the "Courier" for the listless city attitude, the Ipswich "Queensland Times" (esp. 2/9/84) for the settled districts' mild favor of Dutton, but vigorous hostility to the Council. The issues for August, 1884, showed opinion in its mature form. Much public interest centred round Morehead's denunciation of the financial haziness of the Bill, more about the manner in which Dutton's "red line" was said to exclude the old runs of the Downs, and still more about the attitude of the Council. See "Queensland Times," 2/9/84, 7/10/84. For Council's attitude, see "Queenslander," 11/8/84, "Courier," 12-19/12/84, "Queensland Times," 20/12/84. Curiously enough, the really vital innovations attracted little attention.

of merely secondary importance.<sup>61</sup> This neglect ruined the whole experiment and at once a series of amendments began to set up an opposing system alongside of Dutton's leasehold.

The change was aided by the droughts before 1890 and the floods after, and by the commercial depression and the pastoral distress. Dutton's forecasted millennium had meant economic failure; and hunger and stock disease stalked rampant where he had presaged hordes of flourishing settlers. Listlessness and discouragement were the keynotes of the five years after the change of 1884 and, from Cooper's Creek to the Cape York Peninsula, rose a demand that "a change was absolutely desirable and necessary." In a word, the general trend set steadily towards free and unhampered settlement.

"Selection before survey" was the aim and even Dutton, after reinstating the old homestead provisions, had to sanction free selection in certain districts (1886). At first confined to "broken scrubby ridges" where survey was difficult, it was soon extended, especially after 1889,<sup>62</sup> when the conditions were liberalised. By 1891, what Cowley termed "unconditional selection" was on the Statute Book<sup>63</sup> and the conditional selectors of 1884, hampered by a cordon of restrictions, were allowed to transform their tenure to the new form which contained neither improvement nor residential clauses. Auction, too, was pressed to the fore<sup>64</sup> (1886-9) and thus the land seeker could choose between any of three existing systems. That is, it was perceived that advance should be gradual and not iconoclastic, and that settlement could be obtained without an undue sacrifice of revenue and without

61. The financial breakdown was at once evident. By 1896, less than 50 grazing farms had been taken and few agricultural areas. After that date, the large alienations merely threw the revenue shortage into clearer relief. For example, to the end of 1888, 2,991,895 acres had been alienated (contrast the 10,000,000 acres under all previous Acts), yet the revenue for selections was only £13,747. The subdivision of runs increased the revenue only by £25,657, and the total revenue under an Act which was supposed to be ample justification for a railway loan of £10,000,000 was £62,422. Cowley, in 1891, showed the failure still more clearly. The discarded 1876 Act had returned on an average £165,293; Dutton's Act, to the end of 1890 realised in the aggregate, £130,683, and, if the extra expenditure incurred by the Land Board is deducted, the net result is only £85,863. See annual reports of Lands Department, esp. 1891; Debates, 1886, Vol. 50, p. 2896; 1890, Vol. 57, pp. 263-4; 1891, Vol. 64, p. 188. Cp. the 1889 agitation for a drastic increase in pastoral rentals.

62. Debates, Vol. 46, 1885, p. 3; Vol. 57, 1889, pp. 262-7; Vol. 64, 1891, p. 1889.

63. The conditional selector had the advantage of a prior claim, and a price one-third lower than that of the unconditional settler.

64. Debates, 1891, Vol. 65, p. 1163—"to induce purchasers to buy our country lands in order to redeem the Treasury Bills." Cp. Vol. 70, p. 659.



harsh restrictions. Scientific and monetary aid were therefore stressed in the nineties and a new spirit of service replaced Dutton's idea of a sudden metamorphosis.

At the same time, relief was given to the squatters who were penalised by the 1884 Act.<sup>65</sup> The western graziers, never on a par with their southern neighbors, were at the nadir of their fortunes and, although lower rentals and recurring extensions of lease were allowed in 1886 and 1890, the occupation of the west and the north was retarded for years. Not even the newly discovered artesian bores could make up for the low price of wool and the natural difficulties. The pastoral world stood still.

Dutton's Act had thus failed in every respect. Selection rentals had declined by two-thirds; only 260,000 acres were cultivated by 1893; no more than 1000 agricultural farms were taken yearly and less than 140 of the larger "grazing farms";<sup>66</sup> the number of squatters had declined from 9542 to 5213 in seven years; and land was being abandoned.<sup>67</sup>

Yet not till 1897 was there a change, although in 1894 smaller grazing farms ("grazing homesteads") were set up for the nomad population of the west.<sup>68</sup> In that year, too, the Land Board which had unduly diminished the revenue and which afforded no right of appeal to aggrieved persons, was replaced<sup>69</sup> by a travelling Land Appeal Court.

After this period of emphasis on the grazing farmer<sup>70</sup>—the man midway between the selector and the squatter—there came one of stress on capital. In the early years of the new century, Philp's Government favored large sales in order to remove the annual deficit of £500,000. "We have an enor-

65. The 1884 Act had provided for leases up to 15 years, this Act five-yearly leases indefinitely. See "Review of the Pastoral Industry of the State of Queensland since 1865" in *Journal of Royal Geographical Society of Australia, Queensland*, Vol. 21, 1905, pp. 1-13. Cp. article by Gordon in "Queensland; its resources and institutions" (1886). For relief measure of 1900, see *Debates*, Vol. 84, p. 250.

66. *Debates*, Vol. 70, 1893, p. 590, "the grazing farms are among the weaker parts of the Land Act of 1884."

67. *Votes and Proc.*, 1892, Vol. 3, p. 610. Cp. Vol. 4, p. 24.

68. "Courier," 19/9/94, 23/1/94; *Debates*, 1894, Vol. 71, p. 581-2560 acres for "carriers and shearers."

69. Proposed in 1896. "Courier," 15/9/97; report of 1897 Royal Commission on land settlement; *Debates*, Vol. 77, 1897, pp. 636-652.

70. The importance of this tenure (13,000-20,000 acres) was that it filled the gap while the large pastoralists were distressed. The chief fault of the system lay in the prevalence of dummieing, especially in the W. and N.W. One lessee with six such areas was aggrieved because he was accused of having only four! See articles in "Rockhampton Bulletin," 1900. *Debates*, Vol. 85, 1900, p. 1692.





mous estate and it is better that we should part with some of that estate and get rid of some of our debt." Bad in theory and practice, this process was in truth "something like saving at the spigot and losing at the bunghole."<sup>71</sup> Land was sold, even to German bodies, and several plans to sell the western lands were mooted, this project always appealing to the northern State.

To foster this sale of the west, both squatters and grazing farmers there were encouraged. It was to help the Warrego squatters that classification of pastoral lands and the re-occupation of resumed portions of runs were allowed in 1901.<sup>72</sup> Yet more help still became necessary, for the stock had decreased by more than half in seven years (1894-1901)<sup>73</sup> and droughts reached even the coastal lands.<sup>74</sup>

In 1902, therefore, O'Connell proposed that the land should be divided into four classes, with leases graduated up to 42 years<sup>75</sup> and with the Land Court deciding how much land was required for settlement before the new lease was issued. Everybody benefited by this arrangement. The Government secured more land for closer settlement and the squatters obtained a much longer and easier tenure for the remainder. These principles, taken in large part from the Western Lands Act of New South Wales, served to secure the Burnett for agricultural selection and at the same time to develop the Gulf lands for the squatters. Hereafter the large squatter was stressed, for the grazing leases of the west had failed to survive the period of stress.<sup>76</sup> From that time onwards, the pastoralists gradually recovered from the effects of the long drought and—with the assurance in 1905 that rentals should not be increased more than half—no further

71. E.g., nearly £890,000 from 1891 to 1901. Extended by Act of 1901 but attacked in Council. Debates, 1897, Vol. 78, p. 1200; cp. "Courier," 24-25/10/98; "Maryborough Chronicle," 10/9/01; Debates, Vol. 87, 1901, p. 161; "Telegraph," 26/7/01; annual report of Secretary for Lands, 9/8/01; Opposed too, by "Rockhampton Record," and "North Queensland Register," i.e., by the journals in the provinces most affected. All restrictions were removed in 1902. See Debates, Vol. 20, 1902, p. 1474 (by 34 to 24).

72. Debates, Vol. 87, 1901, pp. 790-99. The idea was occupation at any cost. See "Telegraph," 12-21/12/01, for dispute between Houses.

73. See reports of special correspondent of "Courier," e.g., 9/6/00.

74. "Courier," 6/4/00, 9/6/00.

75. For squatters' claims, see Votes and Proc., 1901, Vol. 4, pp. 6-7. Debates, Vol. 90, 1902, p. 34. "Some years ago the Government would have been called traitors to the country for bringing in legislation akin to this."

76. Debates, Vol. 90, 1902, p. 1039. The grazing farmer obtained an extension to 30 years in 1902, and freehold in 1905.



legislation was needed, for the discretionary powers of the Land Court could take into account the peculiar features of each run.

Since this settlement, the only trouble in the pastoral sphere has been in connection with the assessment of rent, for the good seasons after 1902<sup>77</sup> led to a reaction against the easy terms then allowed. Conflict arose between the Minister and the Land Court, for example, when the latter's assessment of rentals was less than 10 per cent. higher than that of the drought years.<sup>78</sup> Hence, since the position of the squatters had to be revised to fit the changed conditions, an alteration in the composition of the Land Court took place in 1910.

But this was not enough. In the same year, it was proposed that all restrictions on the determination of rentals be removed.<sup>79</sup> This at once caused trouble. The Labor Party claimed that they could continually alter the conditions of the agreement between the squatters and the State,—that, in short, it was a mobile contract, dependent on outside factors. On the other hand, Philp, as had de Satgé forty years earlier, held that a lease, once issued, was inviolable, for the Government had pledged its honor.<sup>80</sup>

From 1915 onwards, then, the opposition has been supported by London financial interests and the result has been to lower Queensland's credit, for such "repudiations" do not conduce to financial security. The position of the squatters no doubt in itself justified the re-assessments but it was the wider financial ramifications of the change which should have been taken into account. Outside agencies have taken the view of the Queensland Council that a Government should refuse "to repudiate any lawful contract lawfully entered into by the Crown."

77. So keen was the demand for sheep land that country west and south of Charters Towers was resumed and split up. (1914).

78. 1909 report of Lands Department, pp. 6, 9, 12. For 693 runs, the rents were increased from £161,580 to £176,413, a "strikingly small increase."

79. The guarantee that rentals should not be increased more than 50 per cent. was first in the 1886 Act, but lapsed, and was restored in 1905, being restored "*ipso facto*" to the Acts of 1897, 1901, and 1902. Debates, Vol. 106, 1910, pp. 1233, 1210-3. Hereafter, there was to be no maximum or minimum rent and no difference between pastoral and grazing rates. But the Council rejected the increase.

80. Debates, Vol. 106, 1910, p. 1233. The ministry urged "the greatest good of the greatest number."

Year after year the Council rejected the measure until, in March, 1922, the Upper House itself was abolished, and the Labor Government passed it. In this manner, to gain £150,000 a year, the Queensland Government placed its credit in jeopardy.<sup>81</sup>

During the same period, there was a turn to the small farmer and Queensland's liberal laws caused an influx of settlers, especially from the Victorian Mallee. Special Acts<sup>82</sup> were passed "to encourage bodies of selectors to come from other States" and to provide special communities for Bessarabians and Cheshire farmers. An Act of 1905,<sup>83</sup> for example, gave advances to peasant proprietors and allowed persons in England to come to the colony on a period of probation for five years. By 1905, Queensland's laws were the most liberal in Australia and no easier preliminary conditions could be devised. Yet, in 1908, a further advance was made when perfectly free homesteads on the American plan were allowed.<sup>84</sup> Naturally such legislation, coupled with good seasons and an active railway policy, led to settlement "with a rapidity hitherto unexampled."

The advance was rounded off by the consolidating Act of 1910, the work of Scott in the Lands Office and Denham in Parliament.<sup>85</sup> As well as simplifying the 83 Acts then in force, this measure made special provision for groups and "landless men," and allowed larger areas, although insisting on the need of personal residence. It was an elastic measure which bound the Minister and the Land Court by no rigid limits and which

81. For this important issue, see *Debates*, Vol. 122, 1915-6, p. 2706 (again rejected). The Pastoralists' Association attempted to be heard by Council, but the ministry forbade this "extraordinary procedure" (p. 2791). See "*Courier*," 15/12/15, for protest of London bankers. Rejected by 15 to 2. For struggle with Council, see "*Telegraph*," 17-22/12/15 (triple disagreement). For a third time in 1916 (*Debates*, Vol. 123, p. 575; Vol. 124, pp. 2014-9); Vol. 125, p. 2433 ("*Courier*," 8/12/16); again in 1917 (Vol. 128, p. 3035); and for a fourth time in 1918, cutting out everything except the title ("*Argus*," 30/8/18). For the wider interests, see "*Financial Times*," 3/10/23; "*Argus*," 5/10/23 (protest of London Chamber of Commerce); "*Courier*," 4/10/23; "*Morning Post*," 18/11/23; "*Daily Telegraph*," 18/11/23. As this is going to press, news comes of the close of the thirteen-years struggle, the Theodore Government promising equitable treatment to the pastoralists in return for London financial aid. "*Argus*," 5-7/4/24.

82. *Debates*, Vol. 93, 1904, pp. 774, 836; "*Telegraph*," 16/11/04.

83. *Debates*, Vol. 95, 1905, p. 309 (the English part of the Act failed); Vol. 96, p. 1886-8.

84. "*Courier*," 18/11/08; *Debates*, Vol. 102, 1908, p. 2.

85. "*Telegraph*," 5/10/10; cp. 24/11/10 for Denham's speech before Council. For the railway development linked with the Bill, see *Debates*, Vol. 108, 1911-12, pp. 14-5; Vol. 117, pp. 440-1.

truly opened "a vision of settlement." Occupation increased and, in particular, dairy farming encroached further and further towards the central tableland.

At this stage entered the Labor Party with its policy of lease alone but the change of tenure (1916) produced no alteration in the conditions of settlement and at present Queensland offers every inducement to settlers.<sup>86</sup> But, with only 6 per cent. of the land alienated, small settlement on the tableland cannot go on without communications and, although the Burnett lands are being opened (1923-4),<sup>87</sup> the wheat belt is limited by climatic conditions. This State is above all the land of the mixed grazing and agricultural tenure, in short, of the *via media* of the first period, and the turn again to the north and the west demonstrates the fact.

#### IV.—*South Australia and Climate Restrictions.*

In South Australia, the position of the pastoralists and the farmers was determined, even in the modern period, by Strangways' Act. Though ushered in by a bountiful harvest and an increased wool clip, the period soon acquired a tinge of despondency. Fifteen years of trial and struggle lay ahead of the pastoralist and at times the entire industry seemed doomed.

This came from the auction of the leases in 1888. The blocks were subdivided into areas of 130 square miles<sup>88</sup> but "the bulk of the land went back to the previous occupiers," despite the spirited bidding. That is, the "parrot cry of auction" in the early eighties merely meant renewal at unduly high prices and doubts were felt at the time, especially after the supplementary sales of December, 1888, as to whether "the

86. Although settlement has declined both before and after the change to lease, because of the unsuitable land.

	1912.	1786	selections	av.	354	acres (freehold)
	1913.	1542	"	"	348	"
	1914.	1627	"	"	342	"
Labor	1915	1025	"	"	300	"
Government	1916.	412	"	"	302	"

See 1922 report of Lands Department for average of 1050 selections a year (1917-22), under perpetual lease.

87. "Courier," 12/7/23. Emphasis is on the Burnett and Callide valley.

88. Report of Pastoral Board, No. 56 of 1888. This was merely a temporary body for the specific purpose of valuing the runs, and should be distinguished from the later permanent Board.



new lessees can continue to pay the advanced rates which they have promised to give."<sup>89</sup>

But this issue was overshadowed by the peculiar dilemma into which the legislators had fallen in regard to squatting improvements. In 1884, the Government had pledged itself to give compensation for all improvements in the outside districts and for water improvements within and, as a result, "a startling statement" was made to the House in 1890 that this involved a liability of over two million pounds.<sup>90</sup> Within six years, the State had to pay £840,000 and still there was £1,250,000 outstanding.

Accordingly, a series of Acts attempted to give the squatters longer leases and other privileges if they remitted their claims. The position was ludicrous. The Government paid compensation for the squatters' improvements, yet, because so many of the runs were not relet, had to pay caretakers to occupy the abandoned holdings.<sup>91</sup> But, since these men could not keep pace with the vermin menace, the State was paying huge sums for an unrealisable and depreciating asset. The "ideally perfect system"—and that of every other colony—was to make the incoming lessee pay the outgoing<sup>92</sup> but the Governments of the eighties, by their stress on auction, had made this impossible.

Not till 1893, however, was the principle adopted that the improvements belonged to the lessee and that the Board should secure justice to the incoming tenant.<sup>93</sup> This was the culminating point of the half-century of hostility to the squatters and cost the Government £961,192 by 1898, with outstanding claims of £300,000.

89. "Gazette Extraordinary," 26/4/88; "Advertiser," 27/4/88. For sale, see "Advertiser," 28/6/88; "Register," 2/7/88, 22/12/88. The average prices at the three sales were 38/–, 66/6, and 24/7, whereas the previous price had been 5/8. Debates, 1889, col. 1025.

90. For history of the improvement claims, see "Debates," 1892, col. 636-7; 1896 Assembly, col. 490 et seq.

91. Paper 115 of 1896. Of the 1888 leases, 51,512 square miles were vacant and the value of the improvements had declined from £66,488 to £30,000 in less than eight years. 1897 Commission, qu. 880-1; Assembly Debates, 1895, p. 352; 1899, p. 920.

92. "Register," 25/6/91. This paper saw in such a proposal an "absolute perpetuity of tenure."

93. For the complicated schemes of Cockburn (1890), and Playford (1890), see Debates, 1890, col. 1842. The one measure was too liberal to existing tenants, the other did not provide sufficient inducement for them to come under it. "Register," 14/10/90; "Advertiser," 7/10/93. Debates, 1892, col. 2084. In the end the total claims were not as great as anticipated, because £350,000 were remitted when the lessees chose to come under more liberal legislation.



No sooner was this claim settled than the wider question of pastoral tenure forced itself to the front, for the depression of the eighties was a minor matter as compared with the decline of the nineties.<sup>94</sup> Low prices of stock and the competition of more favored colonies (especially Queensland) sufficed to ruin the squatters. The desertion of the banker and the mistrust of the Government made matters worse and as a climax came the long drought and the vermin nuisance.<sup>95</sup>

It was then that the high rates of the auction system bore fruit. An utter paralysis threatened the pastoral staple. By 1896, 30,000 square miles had been abandoned and, in the mulga wastes of the north, nobody would look at the most liberal tenure that could be devised, a 42-years' lease with five years free and no resumption. Commissions penetrated even to the Macdonnell Ranges to study the position *in situ*, but still the industry languished and the intensity of the drought increased. For years on end one question was heard along the stock routes—

"Do you still receive the message that a ravished border sends,  
Of water done all down the road, and starved stock coming through?  
Does drought still ride by Hungerford, and death by the Paroo?"

And, as never before—

"Those were battle days, and hungry days, and hard,  
With carcasses and bones picked bare at every turning met,  
Lean steers upon the cattle camps, lean horses in the yard,  
And weariness and bitterness, and toil and dust and sweat."  
—Will Ogilvie, "Australian."

But the legislators were slow to act in accordance with the dictates of expert evidence, although the recommendations of the 1891 Commission were embodied piecemeal in legislation.<sup>96</sup> In 1893, the long-needed Pastoral Board was

94. Report of 1891 Commission on Pastoral Lands (Paper 33 of 1891), p. 5 (best *résumé* of the squatting position). Cp. 1893 Debates, Vol. 1, p. 2; Surveyor-General's report, 1898-99, p. 8; 1897 Commission on Pastoral Lands, p. vi. See quest. 5385 of 1891 Commission for chariness of Bankers.

95. For decline of flocks, see Holder (1892), pp. 7-10. On four Murray runs, the rabbits alone reduced 83,000 sheep to 12,000 in 12 years. Water improvements alone in places cost £17 an acre (qu. 920-1 of 1897 Commission), and the trouble was that there was not sufficient faith in the administration to justify such expenditure. See "Register," 26/9/93; 1891 Commission, p. 5.

96. For estimates of this Commission, see "Register," 10, 25/6/91. Debates, 1891, Vol. 1, pp. 69, 2078.

set up to classify rentals<sup>97</sup> but there matters stopped. The Council in 1894—at the very nadir of the depression—blocked a measure to lower rents and to give a right of renewal to all save the 1888 lessees<sup>98</sup> but, by 1895, concessions were inevitable. With an emphasis on determination according to the circumstances of each run, a Central Pastoral Board was instituted to carry further the scheme of 1893, and a “Tenants’ Relief Board” set up “to place rich and poor lessees on an equal footing.”<sup>99</sup>

By this time, no more liberal terms could be devised for the outside squatters and attention turned to the 1888 lessees who had paid too much for their lands and who were banned from all concessions until 1895.<sup>100</sup> They wished to come under the more liberal legislation of the early nineties but the trouble was that this had been passed with special inducements to those who had claims on the Government for improvements, and it seemed illogical that the Class I. (1888) lessees should obtain the privileges and sacrifice nothing. Moreover, the Government was chary about locking up lands which might even remotely be required for closer settlement, for they had just been compelled to pay £6666 as compensation for withdrawing the runs of Warcowie and Arkaby. However, with the proviso that no land suitable for settlement was to be transferred, the Government conceded the claims of these lessees in 1896.

By this time, doubt had arisen as to the efficacy of legislation in connection with the problem, for it seemed a supreme irony to give a struggling squatter possession of his lands for nearly two generations ahead when he could not survive the next two or three years. This was perceived by the representative Commission of 1897 which could recommend nothing

97. Debates, 1892, col. 636 et seq.; 1893, Vol. 2, p. 2137. Proposed in 1892, but dropped until the next year. Note the reaction against auction, and the turn to the Board. The 1893 Act (Kingston), set up three districts (A, B, C), according to the distance from the city. All had leases for 21 years, but the pioneers in C had a right of renewal, five years free and lower rates after that. “Advertiser,” 3/11/93. For the Board, see 1891 Commission, p. vi.

98. Debates, 1894, col. 2324, et seq. The Council wanted renewal in Part 1 lands, but the Assembly refused. “Advertiser,” 16/11/94.

99. The Tenants’ Relief Board consisted of a Supreme Court judge and two assessors, one for the Government, and one for the lessee. See regulations in paper 137 of 1895. “Advertiser,” 31/7/95.

100. See “Advertiser,” 30/11/94, for typical attitude opposing privileges. Debates, 1895, col. 245, 354. “Advertiser,” 5/7/95. The concession in 1895 embodied the last of the recommendations of the 1895 Commission. Debates, Assembly, 1896, c. 469.

beyond the removal of classification and the vesting of a completely free hand in the Board in the matter of rents and renewals.<sup>101</sup>

When this was achieved in 1898-99, the pastoral question was settled.<sup>102</sup> Legislation had reached its limit and, moreover, "the bulk of the people had realised that our pastoral country is not fit for closer settlement," so that what were termed "exhibitions of squatterphobia" belonged to the past. Sympathy turned to the man who was conquering the desert from the wild dogs and the rabbits, and the nineties had shown that, if the squatters were driven in from the Gawler Ranges or the Barcoo, it was a national calamity. It was clear that "squattng was a treacherous sea in which fortunes were more easily lost than won,"<sup>103</sup> the very fact of a Goyder's line proving this.

The final definition of the pastoral tenure came in 1901 when absolute fixity of tenure was allowed, resumption to take place only if it were definitely proved that the land was needed for intensive cultivation or public works. After that date, the Board could let any land, even the much vaunted Class I., for either 21 or 42 years as it chose.<sup>104</sup> A period of stress remained in the first years of the century when the industry was reduced "to the lowest level it has attained in this State" and when the country was less than half-stocked. But from 1905 onwards, steady and gradual consolidation, accelerated by the war, took place.<sup>105</sup> The pastoral problem was over; but the whole story was summed up by the veteran

101. Report of Pastoral Lands Commission, paper 77 of 1898-9. Cp. "Advertiser," 15/11/96, 14/9/97. See questions 611-612 for classification, the last vestige of which went in 1900. The Commission recommended that leases be for 21 years, and that the Board should decide whether there should be renewal.

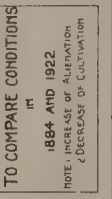
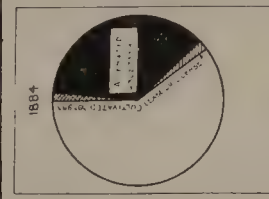
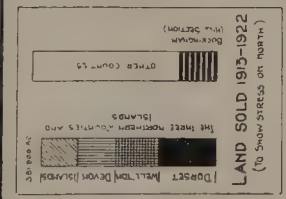
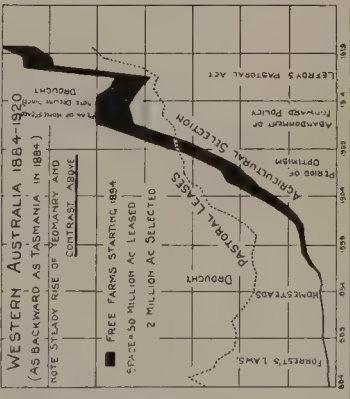
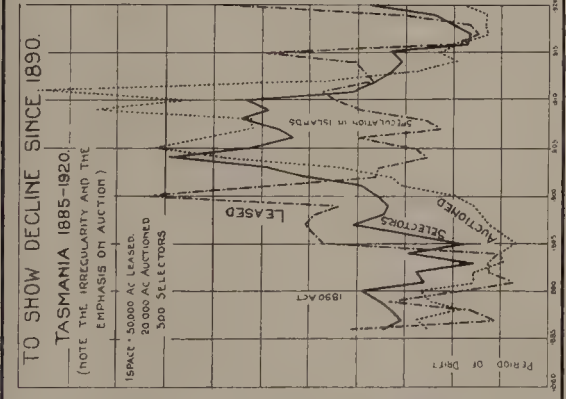
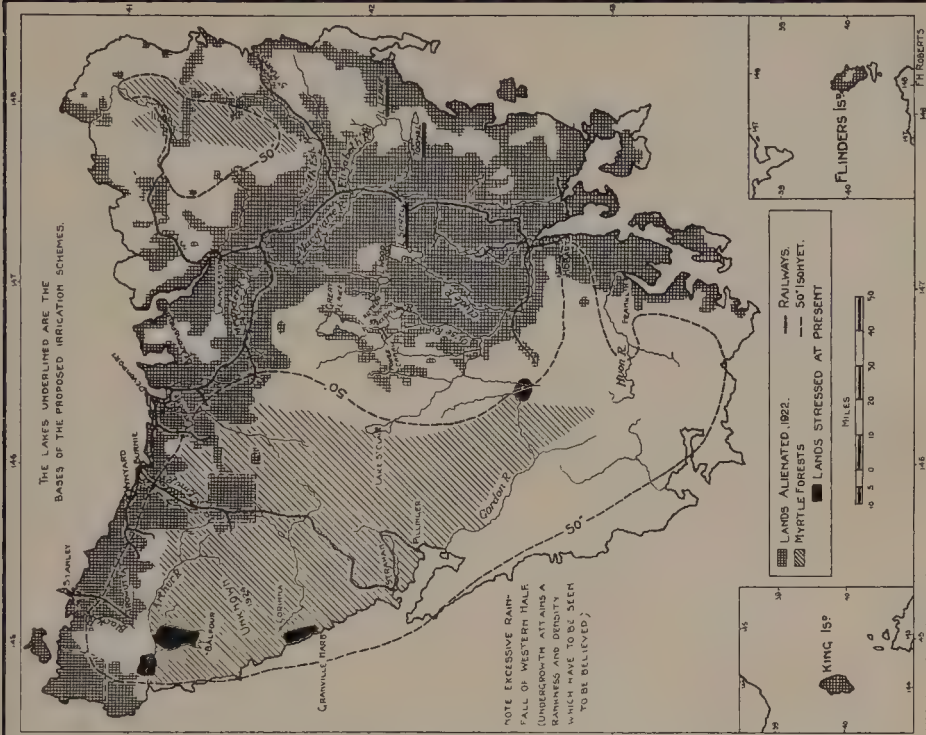
102. 1898-9 Assembly Debates, p. 153, et seq. "Advertiser," 15/7/98. Cp. 1900 Council Debates, p. 460.

103. "Register," 1/12/98, 23/8/01. Assembly Debates, 1898-9, p. 156. See evidence of Waite and Elder before 1897 Commission, esq. qu. 1768-75, 9447. "Advertiser," 24/8/01, 7/10/94. In this connection, note the loss of 2,614,000 sheep between 1891 and 1898. It should always have been clear that the occupants of the North could never have impeded settlement, but such isolated instances as Arkaby loomed large in the public mind.

104. Assembly Debates, 1901, p. 167, et seq.; "Register," 21/8/01, 13/9/01. The settlement was untouched in the 1904 consolidation. The rule is for 42-year leases, unless the land may be required for settlement. Cp. paper 10 of 1916, pp. 24-5.

105. Surveyor-General's report, 1901, p. 10; cp. 1905, p. 11, and Debates, Assembly, 1905, p. 24.





# TASMANIA.





squatter, Elder, who said that "if the history of pastoral occupation were written, it would be a history of disaster."

In the interim, there had occurred an equally striking change in the agricultural sphere. Here, Strangways' period had closed with distress in the north, dummying in the south, and an agitation for boards and classification, for the outstanding feature of the colony was in "the different capabilities of the soil." Moreover, "land laws of greater simplicity and of more general adaptability" were needed and there was a feeling that the laws of the past had been "endeavoring to obtain too high a price for our lands in preference to securing prosperous settlers."<sup>106</sup>

In the light of this situation, therefore, the Land Bill of 1888 marked a new era.<sup>107</sup> It established the supremacy of the Boards, abolished the system of selling farming lands on credit, established leases, and removed nearly all the restrictions. It was a veritable "leap in the dark" and introduced "a distinctly new departure"; but the experiment was successful and each successive Act saw its enlargement.

At this time the feeling was that, under the new encouragement of the Boards,<sup>108</sup> the lands nearer the city should be occupied, for to go to the coastal country or to the isolated Murray flats meant a loss as certain as if money were "flung into the deepest part of St. Vincent's Gulf."<sup>109</sup> A healthy demand for land was arising and such expedients as repurchase, village settlement and "blockers" became leading issues.

But, despite these measures, South Australia was confronted with the basic problem of the climate—the old matter

106. Report of Commission on Land Laws of S.A. (paper 28 of 1888), esp. pp. v.-vi. Its keynote was the extension of Boards on the model of the South Eastern. See 34 of 1888. For the conditions, see "Register," 26, 30/11/88, 9/7/88, and questions 1136, 1513, 2243. For the need of variations, see questions 633, 108. Cp. "Advertiser," 20/6/88; "Register," 18/7/88, 20/10/92; Debates, 1888, col. 387.

107. Note the turn against the north, e.g., in the abolition of the "fringe" tenures. See quest. 408, 610, 646, and Debates, 1888, col. 382-6. See "Register," 24/10/88; Debates, 1888, col. 381, 1369, et seq.

108. There were five Boards, Central (most satisfactory of all), South-East, West, North, and Yorke's Peninsula. The only criticism was that they were expensive. "Advertiser," 22/7/96; Debates, 1896 Assembly, p. 56; 1890, col. 440-8.

109. "Register," 17/7/89. See pamphlet, "Our Inheritance in the Hills" (1889), p. 13. Cp. "Register," 21/12/88. For turn from the outside, note the rejection of free selection for the loamy plains of the South-East and the West Coast. "Register," 23/8/89, 7/11/90. Debates, 1889, col. 652-655. For relief to the outside, see "Advertiser," 25/12/93, 11/9/95; Lands reports of 1900, p. 7, and 1899, p. 6. Reductions occurred in 6½ million acres. Debates, 1898, p. 444; 1901, p. 1122; "Register," 17/12/01.

of Goyder's line. It is true that three new districts (Pinnaroo,<sup>110</sup> Eyre's Peninsula and the South-east<sup>111</sup>) were occupied and that an active policy of railway development and loans to settlers emerged. But the zeal which had sent railway arteries through the east, the spirit which had sent experts to study dry-farming in California and reclamation in Holland, could avail nothing against the climate and, save for the Murray lands, a sterility in land matters set in.

The record since 1912, therefore, is a tale of machinery measures, the different Ministries producing no vitalising principle and the State's policy in general lacking the verve, say, of Western Australia.

One direction alone saw activity. After the long-promised consolidation set in in 1914, a policy of State aid reached heights scarcely realised by the other colonies. In 1914, special terms were conceded to Mallee settlers to counteract the effects of the boom and the drought<sup>112</sup> and so rapidly were advances made to the settlers that, by 1917, £770,381 had been spent. This policy culminated with Government guarantees to the banks for the loans advanced in the drought areas (1919)<sup>113</sup> and with a guarantee of a minimum price for the harvest of 1920. Yet there was a curious apathy regarding the passage of these measures.

Though the Vaughan Ministry (1916) had a policy of development, under them the reaction against the outskirts became still more noticeable. The ever-present need for relief in the Mallee country occasioned a belief that to settle the outside lands in other than large and capitalised areas was a mistake. The lack of water on Eyre's Peninsula and the West Coast led to an abandonment of much Mallee, which was "found to be unsuitable for wheat growing" and it was declared in 1920 that "the State have erred in the past in regard

110. For the history of the Pinnaroo settlement, see No. 78 of 1903 (report of agricultural experts); 10 of 1905, p. 4; Lands report, 1906, p. 9 (254,944 acres to 235 people); "Advertiser," 16/11/05 (need for railways); 1907 Lands report, p. 6 (620,365 acres held, from 40,000 to 50,000 acres cultivated); report of 1911.

111. 1,012,325 acres taken and seven towns, where previously was "a worthless desert." For turn away from these outside lands, see 1902 report on lands, p. 3. Cp. failure of Verran's policy, 1912, for which see "Advertiser," 6/7/10; cp. 5/11/08; Assembly Debates, 1908, p. 722; 1911-12, p. 755; 1912, p. 1100.

112. 1915 report; Debates, 1914, p. 1391 et seq.

113. "Daily Herald," 6/10/14; 1914-5 report on lands, p. 6; Debates, 1914, p. 794; 1915, p. 415; appendix 1 of 1916 report.

to their land-settlement policy in the outside country." Even railway development in Eyre's Peninsula and the Murray flats received a check and in every way the optimism of twenty years before was reversed.

That is, South Australia, whose squatting problem is unsettled,<sup>114</sup> is at a crucial point regarding agricultural development. Of the 761,285 acres re-purchased to the end of 1920, only 36,134 are unoccupied and, despite progress on the irrigation areas, it is difficult to foresee much expansion in South Australian agriculture. In contrast with Western Australia and Victoria, the State has tended to turn away from Mallee lands and yet irrigated and reclaimed lands afford only a temporary expedient.

The fact which Goyder stressed, though not of course his actual line, prevents expansion north; the waterless and scrubby ridges offer no inducements to go west; and Pinnaroo is almost two-thirds occupied. The land history of South Australia closes with the fact with which it started—that the nature of the country renders inevitable a dearth of land. There is beyond cavil an iron band restricting settlement and not all the railway booms or State advances can establish progressive yeoman settlement beyond that limit.

Intensive cultivation within that band and the extension of re-purchase to the *smaller* idle estates<sup>115</sup> seem the ways out of the dilemma; re-purchase and scientific methods are the palliatives, but beyond all lies Goyder's line with all that it implies.

#### V.—*Western Australia and a "Bold Yeomanry."*

When Forrest commenced his agitation in Western Australia, it was clear that "free and unfettered selection by purchase" had failed.<sup>116</sup> Forrest therefore wanted selection

114. For pastoral success, see 1920 report of Department of Lands, p. 52; Commonwealth Year Book, 922, p. 218; "Advertiser," 10/9/10.

115. The official policy of the Labor party is to extend compulsory repurchase to smaller estates, and to divest it of its present limitations. Debates, 1917, p. 240; 1918, p. 987. Still, the withdrawal from the outer lands goes on, extending in 1918 even to the lands west of Tailem Bend. See reports on land, 1915-6, p. 33; 1918, p. 4. Cp. 1916, p. 31, for distress of farmers south and east of the Murray, and in Eyre's Peninsula.

116. "It has resulted in spoiling the country by having dotted over it small locations which it would have been better for the Colony never to have sold." See paper 29 of 1885. Cp. Votes and Proc., 1884, p. 3; 1882 report on Crown Lands, p. 3. Also Fraser's 1876 report, p. 3. "West Australian," 3/4/83; Debates of Council, Vol. 2, 1886, pp. 88-89.



within surveyed "areas" or "centres of settlement," with all grants accompanied by strict improvement conditions. Although Governor Broome was dubious<sup>117</sup> and the squatting Council antagonistic, the Colonial Office sanctioned Forrest's proposals (March, 1887)<sup>118</sup> which have been the basis of the colony's land legislation ever since.

Forrest concentrated on the south-western corner—the "Central" or settled district—and wanted to break the power of the pastoral lessees there, for "the whole country," he said, "has had the eyes picked out of it by the lessees and to a great extent spoilt."<sup>119</sup> No lands, save on special conditions in Kimberley, were to be sold outside the south-west and, even there, all had to be improved, for, at that time, only 77,000 of a total area of two million acres were cultivated.

But Forrest tended to over-emphasise the agricultural interest, although the influence of Broome and the opposition under Venn led to moderate amendments<sup>120</sup> such as the revival of direct purchase and free selection. Residence, instead of being obligatory, thus came to mean easier conditions alone, but this alteration undoubtedly improved the scheme. In their final form, therefore, the regulations of 1887 provided for various modes of alienation. Agricultural areas were marked out but, except that there were smaller areas and no selection before survey, the conditions within them were the same as outside.<sup>121</sup> Squatters everywhere could receive a homestead but these were clearly *farming* regulations.

The pastoral leases, however, were dealt with, the settlement combining a simple principle—leases for 21 years everywhere—with variation according to local conditions, as regards rental and area. Special concessions were given to Kimberley lessees who stocked their runs or Eucla pastoralists who sank bores.<sup>122</sup>

117. Broome postponed the issue in 1884, deprecated unnecessary change in 1885, and suggested considerable modifications in 1886. "W. Australian," 14/7/82; "Government Gazette," 1887, p. 126.

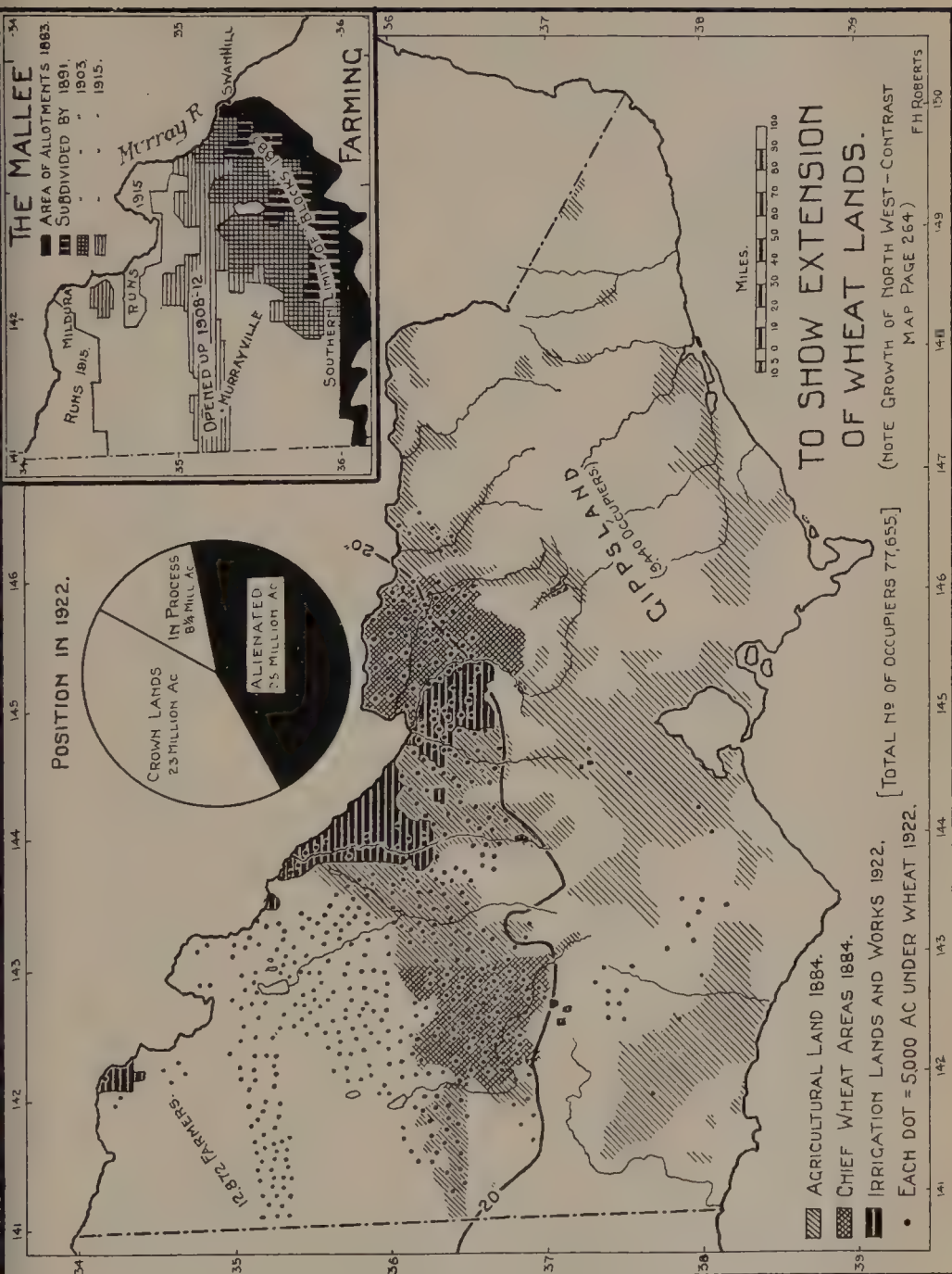
118. Paper A15 of 1886, or "Government Gazette," 1887, pp. 127-64.

119. Especially in the South-West, and near Geraldton. Debates of Council, 1886, Vol. 2, pp. 96, 204; 1884 Report on Crown Lands, p. 3; "W. Australian," 24/2/82; "Herald," 11/2/82.

120. Broome-Stanhope, 12/11/86; Debates of Council, Vol. 2, 1885, pp. 292, 312.

121. Sections 45-55. "Herald," 4/7/82; "Inquirer," 21/7/86. At the same time, the classification between first and second class lands was abolished. Within the new areas, blocks of 100 to 1000 acres were allowed at 10/-.

122. Part 5 of Regulations, Sections 65-73; "W. Australian," 4/7/82; Debates, Vol. 10, 1885, p. 3. Eucla was made a separate division.



THE DEVELOPMENT OF VICTORIA SINCE 1884



For a time Broome's opposition to the regulations seemed justified but, after "over-speculation consequent on what might be called the discovery of Western Australia by the world,"<sup>123</sup> there was success from 1890 onwards. Forrest *had* secured the "bold peasantry" for which he fought and *had* caused the improvement both of grants and runs "to an extent hitherto unknown in this colony." The result was such that even Broome conceded that the code was "a very advanced piece of legislation in the popular interest."<sup>124</sup>

Western Australia then advanced to the next and greatest struggle regarding her public lands—the conflict with the Home Government as to the management of nearly a million acres of "Imperial Patrimony." In the struggle for self-government (1887-90), the chief point of contention was the matter of land control,<sup>125</sup> in connection with which there was a novel proposal for a dyarchy. In short, the whole negotiations form a unique chapter in Australian history.

From the first interchange in 1883, the Secretary of State, Derby, intimated that the northern lands must be reserved to the Crown, on the ground that they "would be likely to form a separate colony at an early date."<sup>126</sup> Broome at first agreed to this division along the parallel of 26 deg. south because there were only 2000 people scattered north of the Murchison.<sup>127</sup> But the opening of the Kimberley goldfields and the determined attitude of the Council induced him to change his views and to hold that the Crown's right of veto was ample protection to the minority in the north.<sup>128</sup>

But so strong was the demand of the Colonial Office for divided control and so keen the desire in the colony for even a limited right of self-government that the draft Constitution

123. 1887 Votes and Proc., opening speech; "Inquirer," 9/3/87; 1888 report on Crown Lands, p. 3; final report of Venn's 1887 Committee on Agriculture, p. 3 (paper 1 of 1891-2); Debates, Vol. 13, pp. 3-4; Vol. 14, p. 488.

124. Select Committee on W. A. Constitution Bill. Reports and Committees, 1890, Vol. 18, p. 160; qu. 605, 685.

125. "The crux of the Bill is, of course, Clause 4, i.e., land control."

126. Derby-Broome, 23/7/83; Holland-Broome, 4/2/87. For early reference to separation, see "W. Australian," 4/5/83, or Debates, Vol. 9, 1884, p. 138.

127. Quest. 703 of 1890 Committee; cp. qu. 997. Holland-Broome, 12/12/87. See "Government Gazette," 26/1/88, and Extraordinary, 6/2/88. Also Accounts and Papers, 1889, LV., pp. 23-24.

128. Broome-Knutsford, 28/5/88. See p. 4 of despatches in 1888 Votes and Proc. It was pointed out that the 1887 regulations settled the land question for 20 years, and that the plea for a separate land fund was meaningless, when land could be sold in the north only in special areas.



Bill, passed by the Colonial Legislature in 1888, had no reference at all to land control.<sup>129</sup> At this juncture the agitation was not to regain control of the lands north of the Murchison<sup>130</sup> but to secure a definite mention in the Bill of the lands south of 26 deg. This compliance on the part of the colony was met by a stiffening of Britain's attitude, Knutsford curtly informing the Governor in 1889 that the English Parliament "would seem more likely to require the line to be drawn to the southward than to the northward of latitude 26."<sup>131</sup>

This petulance was in turn countered by opposition within the colony<sup>132</sup> and it was after a long struggle that the famous "Burt's amendment," asserting colonial rights over land, was omitted from the draft.<sup>133</sup> The apprehension of the colonists was in no wise allayed by the active press propaganda in England, especially the arguments of the "Times" demonstrating the absurdity of handing over "an Imperial Patrimony" five times the size of France to a "European population about equal to that of the town of Reading."<sup>134</sup>

So well directed were these attacks that, after passing the Lords, the Enabling Bill was withdrawn (26/8/89), the avowed reason being the objection, not to responsible government, but to "the proposal which it contains of handing over to the control of Responsible Ministers so large an area of land."<sup>135</sup>

At once the colonists, the angrier because they had foregone their extreme claims, renewed their agitation and despatched Broome and other delegates to London<sup>136</sup> to further their views. Here, the former Governor atoned for his pre-

129. Debates, Vol. 14, 1888, pp. 177-180, 234. For Imperial attitude, see Knutsford-Broome, 30/7/88; "S.A. Chronicle," 18/5/89; "Inquirer," 31/5/89.

130. Broome-Knutsford, 6/11/88; Debates, Vol. 17, 1889. Burt himself said: "I do not think that it was ever seriously put forward that we should have entire control over the whole of the lands."

131. In reply to Broome's request to move the line north to Capricorn. Cp. "Inquirer," 18/10/89, for other lines. Knutsford-Broome, 30/3/89; Broome-Knutsford, 31/8/89.

132. Cp. Broome's reference (March, 1889), to the "perpetual state of discontent and irritation."

133. Debates, Vol. 15, 1889. "We want something to show that the title is ours" (pp. 172-9, 192, 275, 391). "Inquirer," 12/4/89.

134. London "Times," 12/8/89, 16/7/89. Cp. "Morning Post," 12/7/89, stressing colonial antipathy to immigration. Cp. "Pall Mall Gazette," 18/7/89; "Daily News," 12/7/89. See pamphlet published by "W. Australian" called "The W.A. Constitution Movement" (1890), p. 12.

135. Hansard, Third Series, Vol. 388, col. 517; Vol. 339, col. 77; Vol. 340, col. 38. Cp. paper A3 of Votes and Proc., 1889, Session 2. Debates, Vol. 16, pp. 15-42. Knutsford-Broome, 6/9/89.

136. "W. Australian," August, 1889, esp. 13-16/8/89, 23/11/89.

vious doubts by the force with which he denounced "the remarkable misstatements, the wild assumptions, the peculiar ideas put forward by a little body of land and emigration theorists."<sup>137</sup> These influences, together with Forrest's special memorandum on the land situation, led to the adoption of a more moderate attitude and the Enabling Bill, re-introduced in 1890, was referred to a Select Committee representative of all shades of opinion.

Witnesses clearly demonstrated that, despite the current views regarding "this *damnosa haereditas*, the northern part," the proposed division would be meaningless in practice and hampering in administration. Without a division, therefore, the Committee advised the cession of the north to the colony.<sup>138</sup> This was embodied in the Bill which relegated to the colony "the entire management and control of the waste lands."<sup>139</sup> The division along 26 deg., accepted in 1888 as a necessary corollary of self-government, was thus expunged and West Australia, thirty years after the other colonies, was on a par with them in the matter of land control.<sup>140</sup>

The protracted struggle, however, had borne hardly on the colony which had been "reduced very low indeed" by over-speculation in land, by the breakdown of the Midland Railway scheme, and by the poor agricultural seasons. This crisis was scarcely over when a drought of a "severity hitherto unknown in Australia" seized the north and in one year halved the number of stock. Despite relief of rentals in 1892, the area under occupation declined from 153 million acres in 1883

137. See Broome's famous letter to the "Times," 6/5/89, replying to the leader of two days previously, "one would really imagine that the responsible Ministers would no sooner come into office than they would begin to put the land into bags, carry it to sea, and throw it into the Indian Ocean, and that 'the Imperial Patrimony' would disappear altogether." Cp. statement in "Daily News," 12/7/89.

138. Reports and Committees, 1890, Vol. 18, No. 160, 196 pp. The opposition was dispelled when it was made known that the north was "about as suitable as Nova Zembla for settlement by emigrants." Broome-Knutsford, 29/4/89; cp. Robinson's evidence, quest. 2704-7.

139. Section 3. Despite references to "a squatting oligarchy," "a small band of people," a "clique in these two large villages of Perth and Fremantle." Hansard, Third Series, Vol. 346, col. 1577, 346, 374. Knutsford said that the cause of the cessation was the need for equality in view of the approach of federation. "Daily News," 4/7/89.

140. The change, however, was more one of status than of practical import for the Council had drafted the land regulations for the preceding two decades, although the Colonial Office had the last word. Since the advent of representative Government, the Crown's control was more like the veto power. Yet the higher status allowed fewer changes in detail and less delay. See quest. 2831 of 1890 Committee; Hansard, Vol. 348, col. 381; "W. Australian," p. 21, 24/11/82.

to less than 95 million ten years later.<sup>141</sup> And this continued until 1897 when improved markets and stock routes to the north and east caused a revival.

By this time, it was clear that the 1887 regulations had succeeded in so far as revenue and alienation were concerned but had not advanced agriculture to any appreciable extent, as much of the land was stocked and not cultivated. Hence, at the close of 1891, only 64,209 acres were under crop. To remedy this, Forrest adapted the free homestead system of North America to suit local conditions and provided (1893) for free farms and larger leases, the latter on the inferior land in the south.<sup>142</sup> The second proposal failed in practice<sup>143</sup> but homesteads were a success, 562 being taken in one year (1897).

In addition to this, the gold rushes and the "steady influx of farmers" from the less liberal eastern States advanced agriculture<sup>144</sup> and the new century saw "a very keen desire for Crown lands." Western Australia's land laws, consolidated in 1898,<sup>145</sup> vied with those of Queensland in their liberality and, after provisions for "workingmen's blocks" and for agricultural lease on the goldfields, left no need for general legislation for a decade.

Towards the close of the period, however, murmurs as to the reality of land settlement became rife. It is true that departmental reports spoke of selection "little short of phenomenal," of areas of 351,999 and 550,630 acres being taken up yearly (1901-2). But it was a moot point as to how far this progress was superficial and the increased selection,

141. "Inquirer," 28/10/91, 16/12/91; Debates, N.S., Vol. 2, pp. 70-1, 405-12; 1897 report on Crown Lands, p. 3.

142. Quest. 555, 605 of 1890 Committee on W.A. Constitution Bill, and "Inquirer," 12/8/91, for stress on agriculture. See Venn's report (Paper 1 of 1892), p. 3, and "Inquirer," 17/6/91, for position. Cp. Debates, Vol. 4, 1893, pp. 266, 272 for feeling "in favor of some measure being taken for the more speedy increase of the population." For relief by homesteads, see Debates, Vol. 3, 1892-3, pp. 72, 319-25; "Inquirer," 7/7/93; 160 acres on certain conditions. Still easier in 1898 and 1900.

143. For growth of this idea of utilising inferior land, see Forrest's 1885 report; final report of 1891 Agricultural Commission, p. 13; Debates, Vol. 4, 1893, pp. 229-31; "Inquirer," 20/10/93. Up to 5000 acres. There was for long a difficulty of administration in this regard, but more progress was made when the leases were turned into "grazing farms" (1898). Abuses such as aggregation led to the suspension of the tenure in 1904. "Government Gazette," 15/10/04.

144. 1892 report on lands, p. 1; 1893, pp. 3, 10; "W. Australian," 12/10/98; 1897 report on lands, p. 3; "Inquirer," 21/1/93, 1/7/98; report of Inspector Whittaker in 1900 report on lands, p. 15.

145. "Inquirer," 22/7/98, 1/7/98; Debates, Vol. 11, 1897, pp. 440, 994; report on lands, 1896, p. 6; 1897, pp. 7-8. The Act also extended pastoral leases to 1930, instead of 1918, because runs were lapsing. See report of Select Committee in paper A16 of 1898.



instead of being commended, should have been controlled, inasmuch as it was inflated and would necessitate later repurchase.

Large estates were being built up under the grazing leases and anyone could obtain 7000 acres under the 1899 Act. Seven absentees held 371,000 acres of first-rate agricultural land in an unimproved condition<sup>146</sup> and, of the six million acres which were either totally or partially alienated, only 3 per cent. was cultivated.

Centralisation, expense and delay<sup>147</sup> were said to mark the land administration and, when the Moore-Mitchell combination came to office (1905), it was clear that the period since 1898 had been one of outward expansion but of inner drift. Undue alienation,<sup>148</sup> aggregation by individuals, the prevalence of speculation, and the deadlocks concerning grazing leases and poison lands afforded ample justification for a reform, the 1906 election being fought on this issue.

But Mitchell's 1906 Bill<sup>149</sup> commenced a period of further optimism. The Act divided all lands into the two simple divisions of cultivable and rural, and confined the disputed grazing leases<sup>150</sup> to the latter—the sand-plain, poison and inferior lands generally. The aim was now agricultural settlement in the north and north-west, so that the homestead system was extended to two new divisions (Central and Eucla) and "special settlement lands" provided for the still poorer classes of settlers. But, as a safeguard against "speculative selection," Mitchell adopted a policy of progressive improvements.<sup>151</sup> That is, a certain proportion of the conditions had to be performed each year, whereas previously a holder could keep his land for ten years by doing nothing save fence it.

146. Debates, 1902, Vol. 22, p. 3133; "Inquirer," 24/8/06. Debates, Vol. 28. Bath's speech of 28/11/05. Cp. "W. Australian," 19/7/06.

147. 1904 report of Under Secretary for Lands, p. 3; "W. Australian," 16/9/04, 23/11/04, for expense. For delay, see Debates, Vol. 29, 1906, p. 3, and long discussion in 1904 Debates.

148. Debates, 1905, Vol. 28, p. 681; Vol. 29, p. 1256; "W. Australian," 5/7/06.

149. "W. Australian," 26/8/06. For need of consolidation, see Debates, Vol. 23, p. 1361; Vol. 25, 1905, p. 538.

150. This closed the troublesome question of grazing leases which had been rendered nugatory by an adverse decision withdrawing three and three-quarter million acres from their operation. See *Lee Steere v. State*, in *W.A. Law Reports*, Vol. 6, 1904, pp. 178-84; Debates, Vol. 29, 1906, p. 1257; Vol. 28, pp. 690, 760. "Government Gazette," 4/3/07 (renewal).

151. 1903 report on lands, p. 7; "W. Australian," 18/9/06; Debates, Vol. 29, p. 1263.



This Act opened the optimistic period of Mitchell and Moore and it was claimed that the "forward policy" was extending to surveys, roads and water supplies as well as to agricultural development. The years 1908 and 1909 were marked by record selections of 1,142,000 and 2,000,000 acres respectively and, throughout the period from 1905 to 1910, there were favorable seasons, boring activities, enhanced pastoral activities<sup>152</sup> and an extension of mixed farming. Progression was the keynote and "a policy of parsimonious stagnation" anathema.<sup>153</sup>

But the "forward policy" by its very nature was a boom. There was progress without foresight, settlement without permanency, optimism without restraint.<sup>154</sup> And, just as excessive alienation had borne Moore and Mitchell to power, so now excessive and superficial settlement ruined them.

Moderation in lieu of extreme optimism was the watchword of the Labor Opposition, which triumphed in 1910. There had undoubtedly been increased settlement but many selections were too far away from railways and beyond the safe rainfall belt. It was alleged that Mitchell had placed settlers on the land but tended to neglect how they fared. The rise in prices was "unwise and greedy"; optimistic rainfall reports misled settlers;<sup>155</sup> projected railway policies encouraged speculation in land values; and enquiries in 1910 proved that the system bore hardly on individuals.<sup>156</sup>

All of these things the new Ministry opposed and there can be no doubt that, at this stage, both parties performed service, Mitchell in extending settlement, Scaddan in demonstrating the ephemeral nature of much of that settlement. The Scaddan Ministry therefore confined its efforts to the consolidation of the results of the "forward period." Energy

152. Despite the increased rentals of 1906 in all save the S.W. and Eucla divisions.

153. See Moore's policy speech in "W. Australian," 29/7/09; cp. 23/11/10; 1909 report on lands, p. 3; 1909-10, p. 4.

154. 1906-7 report on lands, p. 3; cp. repeated debates during Scaddan's ministry, as late as 1917, e.g., Vol. 54, p. 1548.

155. For abuses, see "Kalgoorlie Miner," 3/3/10; Debates, Vol. 37, 1909, pp. 1740-1; advertisement in "W. Australian," 27/9/09, for speculation.

156. The climax was reached in 1910 in charges of corruption in land administration, the voting barely acquitting Mitchell. Debates, Vol. 38, 1910, pp. 1034 (prejudice of Land Board), 820, 824 (abuse of residential clauses); 821-3 (preference of a visiting Chinese official, who at once sold his land). See "W. Australian," 7/10/10 et seq. The voting was 21-20, after one opposition member had been suspended.

and optimism had wrought change; it remained for careful and cautious administration to derive permanent benefit from the change.

After a reverse on the principle of leasehold,<sup>157</sup> the Ministry concentrated on the need for reclassification of holdings and this has been the leading feature in the past decade in Western Australia. Especially after the 1911-12 and 1914 droughts, a wave of distress swept over the country and State aid became indispensable.<sup>158</sup> The Government therefore withheld a million acres within the eastern margin of the wheat belt because the chances of success were deemed inadequate. They were justified by the disease which followed the drought; although the consequence was that, while 1,727,000 acres had been taken in Mitchell's last year, only one-sixth of that was occupied in 1914.<sup>159</sup>

Yet, beneath the apparent retrogression, more hopeful features could be discerned. If there was a decrease in area, there was a noticeable growth of improvements. Cultivation of "the so-called sand-plain" utilised land which had been previously despised and irrigation works were more seriously considered. If "the feverish demand of a speculative nature" was absent, there existed in its place a "demand for holdings for genuine settlement," especially in the heavily-timbered south-west. In the very year of the "unprecedented drought," there were inquiries for land from all parts, especially from the west of Canada.<sup>160</sup>

But it could not be concealed that agriculture was declining. Hence stress came to be on reclassification and reduced price, although it was not alone the crisis which necessitated these two reforms. It was the fact that settlers who had established themselves since 1910 had been unfairly treated as compared with those of before that date, for since then prices

157. See ch. 31 (3), below.

158. 1912-3 and 1915 reports on land, p. 3; cont. "W. Australian," 30/11/12.

159. 1912-3 report on lands; Debates, Vol. 47, 1913, pp. 23, 33. "It was an occasion when we had to succor those whom the 'breezy optimist' had sent into the wilderness and left there to their own resources." Cp. Vol. 45, 1912, p. 3688. Cp. strictures of the "Sunday Times," the organ of the Country Party.

160. Debates, Vol. 49, 1914, speech of 30/6/14; 1910-11 report on lands, p. 3; 1912-3, p. 3.

had risen and the settlers had to push back further from railways into less desirable and over-valued country.<sup>161</sup>

This question, "a burning one for many years," was one reason for the heavy Labor vote in 1911 and led to the appointment of a professional Commission in 1914 to analyse the situation.<sup>162</sup> While emphasising the need for immediate relief, the Commission made it clear that the depression was not due to high prices so much as to distance from railways, difficulties in water-carriage, droughts and want of capital.

In accordance with their recommendations, Bath reduced the price of wheat lands to a maximum of 15/- and accepted the "zoning system" of a board of surveyors to ensure variation according to local conditions.<sup>163</sup>

The system was an elaborate one. There were to be six zones, each with three classes of land and variations within each in order to equalise railway advantages. Every selector was placed on what was termed "sixpence per acre per annum," despite a loss of £30,000 yearly. In short, the policy was the most scientific in the Australian colonies and the one most calculated to push the fringe of settlement onwards to the interior.

Completed within eight months, the repricing of the wheat belt of over six million acres led to reductions of £301,077—a fact amply proving the existence of burdens on agriculture.<sup>164</sup> By the end of 1917, this reclassification had applied to re-purchased and poison lands<sup>165</sup> as well as agricultural and the

161. Debates, Vol. 52, 1915, pp. 1967, 2174-5. To 1910 the price had been 10/-. Expense and delay came in, too, when survey before selection was made the sole system (1910) for before 1910, it "was only carried out in special cases."

162. Report of Re-Classification Board, 23/8/14 (Paper A6 of 1915). Recommended prices from 15/- to 20/- according to the distance from a railway, relief for settlers in subdivided areas, and those in wheat areas since 1909.

163. Debates, Vol. 51, 1915, pp. 813-5; cp. Scaddan's policy speech in "W. Australian," 22/9/14. The zones took into account rainfall, quality of the soil, and transport facilities. The zones were A-F, C to F being the depressed districts. The agricultural area was the South-West division and the land east of the Midland and Great Southern railways. "Western Mail," 1/10/15. See fig. 11.

164. 1916-7 report on lands, p. 4; Debates, Vol. 51, 1915, p. 1143; Vol. 52, pp. 2231, 2495.

165. Report of Board to inspect Poison Lands (2/7/14). Paper A6 of 1915, p. 7. Debates, Vol. 52, 1915, pp. 1975, 2154.



natural sequence, of course, was to apply it to the pastoral lands.

As a result, the pastoral tenure became a leading question in the next few years, for Lefroy wanted "a forward policy in connection with the pastoral lands of the north." Therefore, the principle of classification was applied to the pastoral field, the rentals varying with the capabilities of the run and with the distance from a port or railway (1917).<sup>166</sup> At the same time, the leases were extended to 1948 if the squatters accepted more rigid stocking conditions and a compulsory expenditure in improvements.

However, the continued success of the pastoral industry, especially in the south-west, engendered speculation and monopoly. Capitalists used the company device to acquire vast squatting areas, and the Attorney-General acknowledged that "it would be possible to drive a whole menagerie through his Act of 1917."<sup>167</sup> An amendment of 1919 therefore restricted the area to half a million acres in each division but, as the company law again provides a way out,<sup>168</sup> it is difficult to estimate the effect of such restriction. But, with the exception of this matter of preventing aggregation, the pastoral question in Western Australia is settled for three decades, for the squatters have security of tenure and practically no fear of the encroachments of agriculture.

The position of agriculture, however, is not nearly so satisfactory. Despite good rainfall and reduced prices of land, the cultivated area declined in 1918 and again in 1919.<sup>169</sup> The mallee belt of Esperance lands is backward, although much is clearly "adapted for wheat growing and general farming."<sup>170</sup> Money advanced to help such inferior land has been in the past unwisely expended and accordingly despon-

166. 1918 and 1919 reports on lands; Debates, Vol. 53, 1916-7, p. 5; Vol. 58, p. 632. "The pastoral industry was never in a more prosperous condition." "Western Mail," 26/6/14; "W. Australian," 16/3/17, for extension. Debates, Vol. 54, p. 2094, for Bill.

167. Debates, Vol. 61, 1919, p. 1992.

168. By transforming partnerships into limited liability companies. 1919-20 report on lands, p. 5.

169. Reports on lands, 1917-8, p. 3; 1918-9, p. 3.

170. Royal Commission, Lands and Mallee Belt, 13/9/16 (Paper 5 of 1917), pp. xv., vi.-vii. "W. Australian," 27/3/17.



dency grew apace. In the great wheat belt from the Murchison to Ravensthorpe,<sup>171</sup> the country "is still in the pioneer stages and generally is quite distinct from the older settled districts where more progress has been made and where mixed farming has generally been adopted."<sup>172</sup>

The depression can surely not be attributed to the land laws, for they "are more liberal than those of any other State of the Commonwealth," and so it is dubious if the extension of still more liberal terms of payment is wise. Land is abnormally cheap, three times more so than in the eastern States,<sup>173</sup> and this of course militates against improvement. The Agricultural Bank affords ample credit and the terms of tenure are liberal; *compulsory* resumption would obtain better lands. But, lacking this, the State's primal needs are cultivation under the existing conditions (for only 1,901,680 out of 24,921,031 acres are cultivated), study of poison and mallee lands,<sup>174</sup> and development of the newer eastern wheat belt.<sup>175</sup>

#### VI.—*Tasmania and Difficulties of Development.*

Not till 1890 did Tasmania change her code of 1870 and even then the only innovation was to render personal residence obligatory. Lands could still be sold by auction; indeed, it was one of the expectations of the framers to realise a revenue in this manner. More stringent improvement conditions were to prevent speculation; while the ban on residence by a "bailiff" was to stop dummieing. Thus, Tasmania did not change her policy of allowing land to be either selected or bought outright, nor was any better tenure afforded to the graziers than a fourteen years' occupancy without rights.<sup>176</sup>

The Act was not successful, for since then the old difficulties of dummieing and lack of improvements have been, and

171. Royal Commission on Agriculture, 1916 (papers 7 and 15 of 1917-8), deals with question in over 900 pages.

172. Royal Commission on Agriculture, First Progress report, p. 5. For relief to these lands, see Debates, Vol. 58, 1918, p. 557; "W. Australian," 16/5/82, for similar position.

173. Debates, Vol. 60, 1919, *passim*. Mitchell said, "land was never cheaper than it is to-day."

174. 1919-20 report on lands, p. 4, for turn to this land, the box-poison of the South-West, and the hartleek of the South-East.

175. The 1920 report on lands speaks of "a continuous demand for land, particularly in the recognised wheat areas," and a steady, but not so marked, demand for the timbered South-West.

176. For the general position, see Buckler's "Colony of Tasmania" (1883); "Melbourne Review," 1883, pp. 448-453; Official Crown Lands Guides of 1884 and 1887.

still are, rampant. An inadequate revenue was derived from the lands, and the general deficits were such that roads and railways could not keep pace with settlement. This settlement in itself was not extensive for, from 1890 to the Act of 1903 there were but 19,497 applications for selections. Amendments of 1893-4-5 had afforded relief but had effected little,<sup>177</sup> for much of the settlement was unreal—as much as one-third, found an enquiry of 1903. To cope with this, it was provided in 1903 that a selector had to improve his land to a certain extent every year.<sup>178</sup>

Still, the evil continued, especially in the rush of Victorian speculators to King Island,<sup>179</sup> and it was clear that the land law, even as strengthened in 1903 and 1905, contained “nothing to prevent the capitalist from acquiring as much land as he may desire.” Dummying was prevalent in the wide area of Wellington<sup>180</sup> while the selections of third-class land everywhere were “practically unimproved.” A Royal Commission of 1910 proved that dummying existed but showed, too, how difficult it was to secure a conviction where only the selector and his agent were concerned. Statutory declarations availed little and so open were the transactions that two persons had the effrontery to apply for thirteen transfers of selections at once!

But there was another, and a still more pressing, difficulty, for settlement had advanced too far into the back country, especially in Wellington and Devon in the north. The Government, however, could not afford to build even tracks so that in some places the selectors had to bring their cream to market on sleighs!<sup>181</sup> A Bill of 1901, therefore, proposed to make roads and improve the lands in certain localities *before* sale and in this way “to push civilisation out into the virgin forest.”<sup>182</sup> But the experiment, tried at Beaconsfield, was as ineffective as it was costly, as nobody applied for the land when cleared.<sup>183</sup>

177. Lands report of 1896 (Paper 47 of 1896), pp. 3-4.

178. 2/6 an acre for 8 years, and, in the case of first class land, personal residence.

179. “Mercury,” 2/7/09; Lands report of 1910-11 (Paper 17 of 1911), pp. 3, 13; Paper 22 of 1910, p. 11.

180. Royal Commission on Lands Department (Paper 10 of 1910), pp. 8-9; report of Lands and Surveys, 1909-10, pp. 3-5.

181. 1910 report on lands, p. 3; cp. 1907, p. 3.

182. “Mercury” (Hobart), 9/9/11; Paper 5 of 1911, p. 5.

183. Paper 29 of 1916, p. 7. Only one of eleven lots was applied for. See “Mercury,” 22/9/16.

The Government was thus compelled to make it clear to selectors that roads could not be maintained but that, in fairness, forfeitures for non-performance of conditions would not be strictly enforced.<sup>184</sup> This in turn led to more evasion and, until an active road policy can be commenced, selection will be both hampered and abused.

One other evil result followed. The Government had allowed selection of third-class land on easy terms (1903, 1905) but, instead of aiding settlement and the revenue, this harmed both the Government and the graziers. The selectors merely erected a fence and left the lands idle, in so doing mutilating the pastoral leases. The legislation, candidly admitted to be "ill-advised," was repealed in 1911<sup>185</sup> but by that time the evil had been wrought and the area under pastoral lease had declined in seven years from an average of 264,417 acres to 149,328. Pastoral backwardness was thus the next item on the debit side of the selection account.

Then, too, there was the ultimate question of a shortage of land. Since first-class lands were purchased as well as selected, the Surveyor-General said in 1912, "The rate at which first-class lands in Tasmania are being alienated suggests the question, how long with the present condition of affairs continue?"<sup>186</sup> The realisation of this dilemma led, from 1912 onwards, to a policy of withdrawing lands from selection, in particular those along the line of projected communications. For example, the lands adjacent to the Stanley-Trowutta tramway were kept for years, while, by 1918, all the best lands were withdrawn, "for one reason or another."<sup>187</sup>

This policy just coincided with the war, the result being that applications for selections declined from 1515 in 1914 to 842 in 1916 and 809 in 1917. The dense scrub and myrtle forests forbade settlement until roads were constructed; and the Government was inclined to retard settlement rather than

184. Ministerial statement of 14/10/10, p. 5; cp. 1912-3 report, p. 2.

185. Report on lands, 1911-12 (Paper 20 of 1912), p. 4. The trouble, too, is that so little of the remaining land is useful, consisting as it does of impenetrable scrub or mountain tiers. See fig. 66, for only available areas for expansion, and even these need large expenditure on clearing and communication.

186. Report on Lands, 1911-12.

187. 1914-6 reports on land.



place farmers in isolated positions, as in the early years of the century.<sup>188</sup>

The root difficulty is one of finance. With a yearly deficit, the Government cannot promote any extensive scheme of repurchases. Yet to settle on virgin lands needs at least tracks and already 33 per cent. of the State's debt has been spent on roads and bridges, and half the taxation is for the same purpose.<sup>189</sup> The mountains and the timber undergrowth,<sup>190</sup> the excessive alienation of first-class lands in the early years, and the financial trouble, retard Tasmanian settlement.

And, although intensive cultivation in the north-west and a stress on the swamp areas have been noticeable, no large vista of progress can be discerned for the State in land matters, for there are no irrigation areas to turn to, as on the mainland. All the time, too, there is the evil of having the auction of good lands in operation concurrently with selection. One system is necessary for revenue, the other for settlement. But the two clash and it is always the latter which suffers. Tasmania's problem,<sup>191</sup> therefore, is partly one of legislation, partly one of public works, but in essence financial.<sup>192</sup>

188. A ministerial pronouncement of policy in 1918 definitely outlined a programme of maintaining the withdrawals and developing the settled areas rather than going further afield. See "Mercury," 11/10/18.

189. Ministerial statement on 12/10/17, in Paper 25 of 1917, p. 6.

190. For conditions, see report of Innes on route to West Coast (Paper 74 of 1896), p. 11. From Russell's Falls to coast, "not a thousand acres that would be of any value for agricultural purposes." Cp. Paper 83 of 1891; Papers of Royal Society of Tasmania, 1897, pp. 189-196; Royal Geographical Society of Australia, Victorian branch Transactions, Vol. 3-4, 1884, article by Sprent.

191. The 1911 Act (*résumé* in Walch's Tasmanian Almanack, 1923, pp. 137-9), is still in force, with three classes of land, residence necessary on first class only.

192. A new aspect has recently been stressed in Tasmania, the water power. See article, "Tasmania's open door; British capital attracted by Electric Power" in "Transport by Land and Sea," April, 1921, p. 7; article in "Australian Electric Times," April, 1922, p. 177; Melbourne "Argus," article of 20/11/15; cp. 13/5/16, 17/2/17.



## CHAPTER 27.—CO-OPERATIVE SETTLEMENT IN THE NINETIES.

The distress of the early nineties led to experiments in land settlement in every State, group settlement occupying the centre of attention.<sup>1</sup> In every case, this was State-aided but in some the settlers pooled their produce and worked in common, while in others the emphasis still remained on individual effort. The experiment, like so many others, began in New Zealand in 1886 and was introduced to Australia (1891), when Queensland set up small townships encircled by blocks held by the villagers.<sup>2</sup>

Two years later, the McIlwraith ministry—squatters though they were—brought in a more comprehensive scheme, providing for co-operative and communal settlement both. "Self-governing communities" of not less than thirty persons were to be established, each group having a registered name such as the "Excelsior."<sup>3</sup> After certain improvements had been effected by the whole body, a division of the land was to take place and the members as individuals were to receive fee-simple. But, if subdivision were not wanted, the group could exist in a communal form, the choice of separation being available every ten years.

At the same time, "labour colonies" were set up for a totally different class of persons, the "absolutely destitute."<sup>4</sup> Here, the tenure was on sufferance and the management in the hands of outside trustees. The one experiment was for selectors

1. For an early proposal of agricultural co-operation, see plan in P. Cunningham's "Two Years in N.S.W." (1827), Vol. 2, pp. 147-8, "settling primarily upon the principles of the co-operative system, that is, by turning the combined exertions of the settlers to clearing, cultivating, and erecting the necessary buildings upon one central farm, from which the individual settlers might afterwards ramify to their own locations, after they had thus secured lodging and subsistence for themselves at the parent depot."

2. "Sydney Morning Herald," 1/9/91; Queensland Debates, Vol. 64, 1891, p. 294 et seq.; Brisbane "Courier," 12/8/92.

3. See report of 1892 Select Committee "upon the various schemes for assisting land settlement." "Courier," 22/7/91. For the Act, see Queensland Debates, Vol. 70, 1893, pp. 393-8; "Courier," 31/8/93. Improvements on any portion were to be attributed to the whole.

4. Copied from Victoria. The debate ranged from the recent failure of such settlement at Alice River, to its origin in Java and China.

who wished for a group existence, the other, a means of relieving industrial distress.

The measure was a failure, for the wave of enthusiasm which led to Acts in every Australian State in 1892-3 soon broke. In Queensland the failure was the most apparent and within two years arrangements were made to allow the occupants to buy their holdings.<sup>5</sup>

Victoria, where the rush to the metropolis and labor difficulties were causing trouble, followed Queensland in this matter by proposing to purchase the best lands and to set up groups of landless men as individuals (1892).<sup>6</sup> Members were confident that in this manner the unemployment evil could be removed, and that perchance the small settlers might oust French wines and even rival Piesse and Lubin's perfumes! Such visions were abruptly stopped by the Council's rejection of the Bill, although a much more comprehensive scheme passed in the ensuing year (1893).<sup>7</sup>

This time, no mention was made of buying lands, for that had wrecked the previous Bill. There were to be village communities in which each man had his own allotment, homestead associations in which a settler had both a town block and a rural area, and, lastly, communal labor colonies.<sup>8</sup> It was made clear, however, that the latter formed "the most important element," the aim being "to abolish the very idea of pauperism."

At first, as in New Zealand, the scheme seemed successful and by 1898 there were over 2000 settlers residing in the village settlements,<sup>9</sup> the Government had advanced £66,000, and improvements, to the extent of £150,000, had been erected. But the basic weaknesses emerged. The land was unsuitable. Koo-wee-rup was a swamp, Red Hill a forest almost unpenetrated by light, and Fumina a mass of logs in the Gippsland hills.<sup>10</sup> The individual settlers therefore failed.

5. Bernays, p. 396; reports on settlements in Votes and Proc., 1895; Debates, Vol. 74, 1895, p. 1858. The land became freehold on payment of 2/6 an acre.

6. Victorian Debates, Vol. 69, 1892-3, pp. 567-613. The aims were "to discourage the undue aggregation of population in the city, to promote rural settlement, to encourage and stimulate increased production, and to bring capital and labor into more harmonious relations than have existed in the past." See "Argus," 2/3/93, for rejection, by insistence on New Zealand communism.

7. Debates, Vol. 72, 1893, pp. 352-60, 1231-8.

8. The State was not to manage these but was to hand them over to private associations.

9. Report of Minister for Lands, 1898.

10. Victorian Debates, Vol. 107, 1904, p. 492. Cp. "Age," 28/7/04.

Still worse was the position of the labor colonies, the collapse here being due rather to the inherent faults of communism than to the site. Within the first five years of the colony at Wonthaggi, 2355 settlers were admitted and the Government spent £20,000. The results were ludicrous. The manager was suspended, the trustees quarrelled and the men were idle.<sup>11</sup> The labor of each man was worth little more than £1 a year, and even then 360 men were not accounted for on the books.<sup>12</sup> Five men milked twenty-six cows by the middle of the afternoon, flour was ground by hand, maize was dried in the cowyard, chicken coops were covered with "the most expensive canary-wire netting that could be bought in the market." By 1900, although 600 men were resident, only ten acres were cropped. Therefore, the settlement, lingering though it did, led to no results. Village settlement had failed because of the unsuitable lands; the labor colony because of misdirected effort.<sup>13</sup>

Very similar was the experience of New South Wales in which both village settlements and labor colonies were provided for in 1893.<sup>14</sup> Only three settlements were established, two of them small ones, with 54 families between them, at Bega and Wilberforce. These soon ended<sup>15</sup> but the experiment at Pitt Town in the Hawkesbury district was more extensive. Here, 96 families—a total population of 500—found homes.

The site, however, was unsuitable and in fact "the land foredoomed the experiment to failure." Quarter of the men were useless and it took a year to perform a fortnight's work. "One nail, one slab, one day" was a saying in the settlement and, while a few improved their own lands after the day's communal labor was over, most dallied. The man who worked by flares till midnight was penalised by the drone and, moreover, found no favor with the board of management.<sup>16</sup>

The scheme, too, was a despotism rather than co-opera-

11. See manager Goldstein's evidence before Unemployment Inquiry Board at Leongatha. "Argus," 9/8/99.

12. It was suggested that they had joined the Scottish regiment.

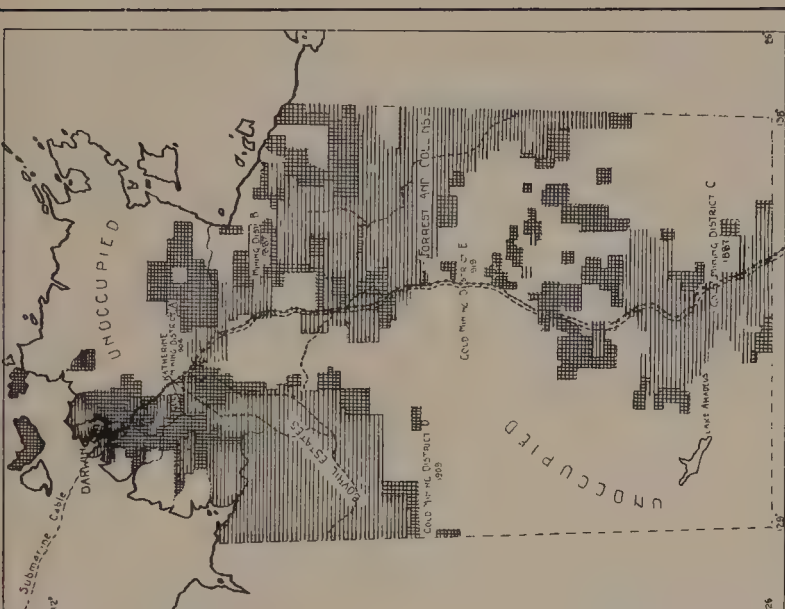
13. See the valuable history by Salmon, in *Victorian Debates*, Vol. 91, 1899-1900, p. 548, et seq. 589 men produced £598 in 1896; 1604, £978 in 1897; 703, £822 in 1898; and 608, £817 in 1899.




14. Labor Settlements Act. See N.S.W. Debates, Vol. 66, 1892-3, pp. 7986-92. "Sydney Morning Herald," 18/5/93. No freehold for 28 years, and even then only optional. For comment, see "Herald," 23/5/93.

15. N.S.W. Debates, Vol. 92, 1894-5, pp. 668-9.

16. Report of Select Committee on Pitt Town Settlement (13/11/96), (Paper 487A of 1896). See qu. 14 ("the men were selected at haphazard"), 45 ("a barren desert"), 85, 101, 128-9, 135 ("if a man were a boss of a gang, he seemed as if he were an employer of labor"), 390 (despotism).





COUNTIES [NOTE CONNECTION WITH RIVERS ADELAIDE DAILY AND ROPER]  
PASTORAL LANDS 1879  ; 1889  ; 1899  (APPROXIMATE)  
COYDERS SURVEY OF 1869  
----- A C GREGORY'S "NORTH AUSTRALIAN EXPEDITION", 1855-56  
----- M<sup>S</sup> DONALL STUART'S TRACK 1861-2

LANDS OCCUPIED 1911, ON CESSION TO COMMONWEALTH  
INCREASE BY 1921  
LANDS ALIENATED TO 1921  
OVERLAND TELEGRAPH  
STOCK ROUTES [EXTENSION CONTEMPLATED] RAILWAY COMPLETED

— SHOWING OPENING OF COUNTRY TO 1900.

SHOWING POSITION IN 1911 AND 1921.

# THE LAND HISTORY OF THE NORTHERN TERRITORY.

Fig. 68-69.





tion and was subject to regulations made, not by the settlers, but by outside agencies.<sup>17</sup> Failure was thus more and more evident. Ruined by the site, the inefficient Board and unsuitable members, the plan survived until 1917, when the survivors or the persons to whom they had transferred their holdings received ordinary farming tenures.<sup>18</sup>

South Australia's experiment was quite different from those above. There, it was no part of the plan to afford relief to the destitute or to deal with unemployment. The aim was co-operative farming by "people with limited means" but, from the beginning, it was mixed up with unemployment, for the commercial panic was then at its height.<sup>19</sup> Fourteen villages were set up but only one with persons of means. The rest, contrary to the original idea, depended on the administration for advances and within two years the debts incurred amounted to over £26,000. Even when set up, only two were in any way self-supporting, and, in all, the inexperience of the settlers and the difficulty of concerted action became noticeable.<sup>20</sup>

In the seven which survived at the end of the decade, communistic and co-operative ideas had alike been discarded and the villagers united in one thing only<sup>21</sup>—a desire for separation. This was accomplished in 1901 and soon only three survived in their co-operative form (1910). When two of these (Rameo and Kingston) were proclaimed irrigation areas in 1914, Lyrup, where tree cultivation was particularly successful, alone remained of the settlements.<sup>22</sup> "Human nature had been too strong for them."

17. "Sydney Morning Herald," 20/10/94.

18. N.S.W. Debates, Vol. 68, 1917-8, p. 1684; Vol. 69, p. 1931. At Bega, there were 29 settlers paying no rent, 9 original; at Wilberforce, 11, one original.

19. "Advertiser," 7/10/93; 30/11/93. For rules of the settlement, see Papers 113, and 113A-D of 1896.

20. Debates, 1895, col. 1446; "Register," 18/9/95. See series of articles in "Advertiser," commencing 27/7/97, esp. 31/7/97. The best account of the village settlements in South Australia is by Leroy-Beaulieu, who made a careful survey of the whole during a visit. See *Les Nouvelles Sociétés Anglo-Saxonnes* (1901), pp. 152-7. Cp. paper 10 of 1896, p. 9 (9 villages, 197 inhabitants, 4685 acres cultivated, £39,577 in improvements). But contrast the Select Committee on Village Settlements, paper 113 of 1895, p. 7, et seq. "Want of harmony" was now the chief feature, especially at Pyap and Waikerie. At the latter settlement, where 70 persons started, only 26 remained. (Debates, 1895, col. 1565). To minimise this internal friction, an Act of 1895 gave the Government a stronger hand, and power to expel rebellious villagers. "Advertiser," 23/9/95; paper 10 of 1900, Vol. 1, p. 11; paper 37 of 1900 — final report of Committee on Murray River Settlements, p. 3.

21. S.A. Debates, 1900, Council, p. 508; Assembly, 1901, pp. 1114-6; paper 37 of 1900, p. 3 (especially Macintosh's evidence); paper 93 of 1900 for Macintosh's report; "Register," 14, 17/12/01.

22. Lands report of 1907, p. 9 (4 settlements surviving), 1913, p. 27; 1915, p. 37 (two left); 1917, p. 33. Lyrup still prospers—"the settlers are doing very well, and are perfectly satisfied with their conditions."

Tasmania commenced a similar experiment in 1894, when 24 settlers formed a village at Southport but as the land was so densely timbered that room could not be found to erect tents, the settlers were soon petitioning for a return to individual action and more than half of them deserted or were dismissed.<sup>23</sup>

The result in every colony was thus alike. Communal settlement was inherently weak, co-operative settlement hindered by a lack of the spirit of cooperation. Group settlement, as understood in the nineties, whether in the Paraguay pampas or at Barton's settlement in the jungles of the New Hebrides or in the fruit districts at Ramco—was a pleasing theory, a failure in occupation.<sup>24</sup> This was soon realised and legislators turned to the next experiment, repurchase and closer settlement.

But this experience does not condemn group settlement in the back country, provided that there is an emphasis on selection of members and a suitable site, together with a minimum of co-operation in the old sense of communism. The fundamental point is that the members should work for their own benefit and co-operate only in certain respects (implements, marketing) which aid each. It is for this reason that recent proposals have been made to colonise the Arthur River in Tasmania,<sup>25</sup> the Gippsland Hills in Victoria<sup>26</sup> and the mallee of Western Australia by groups.<sup>27</sup> Nevertheless, the failure of the nineties serves as a reminder of the human factor in all such schemes.

23. Report of Select Committee on Village Settlement, in Tasmanian Paper 66 of 1896, p. 3. Cp. 47 of 1896, p. 9. Only twenty acres were cultivated.

24. Leroy-Beaulieu's *Les Nouvelles Sociétés Anglo-Saxonnes* (1901) p. 156-7. "*Les résultats obtenus, sont-ils du moins en proportion des dépenses faites? Il ne me paraît guère. Par défaut d'expérience, par manque d'union aussi entre les villageois, on a trop souvent travaillé en pure perte. L'aspect des villages est, du reste, misérable. Le spectacle serait burlesque, s'il n'était attristant.*"

25. Labor programme, as outlined in Paper 25 of 1915; cp "Mercury" and "Launceston Examiner," 23/10/15, 10,000 acres for a co-operative colonisation association between Trowutta and Mt. Balfour, in the timbered North-West.

26. Victorian Debates, Vol. 102, 1902-3, p. 2209. "Argus," 6/9/23, for scheme in Western District.

27. See account in report of British Overseas Settlement Delegation (Windham), or article in Proc. of Royal Colonial Institute, 1924.

## CHAPTER 28.—REPURCHASE AND CLOSER SETTLEMENT.

In the early nineties, the land position in the Australian colonies was unsatisfactory. The area cropped had not kept pace with the alienation and the country population was not increasing. The farmers could not compete with other nations, and fast clippers came almost weekly from San Francisco with negro-grown wheat. The price of grain was falling<sup>1</sup> and tariffs, such as Dibbs' semi-protection in New South Wales, did not meet the situation. The men on the land were in trouble.

Yet there was "an earth hunger" throughout the colonies, for the distressed artisans and intending settlers could find no land. In New South Wales, over three thousand persons applied for 312 blocks while, in one instance in South Australia, there were 136 applicants for one block.<sup>2</sup> From the southern colonies, farmers were going in hundreds to the western lands of Queensland, for the South was in the grip of monopoly.

The best of the land had been alienated. New South Wales had parted with 50,000,000 acres and only red-gum forests or stock-routes remained. Victoria was in a still worse plight, as only 140,000 acres of first or second class land were left, while, in South Australia, there was such a dearth that "another hundred suitable for agricultural settlement could not be declared"<sup>3</sup> and settlers were pressing to the inhospitable West Coast. So too in Western Australia, the farmers were forced into the jarrah forests of the South-West<sup>4</sup> and to undertake a life's work of clearing.

The crux of the situation lay in the fact that even the alienated land was not used. Fourteen persons in the Hunter district of New South Wales held 227,000 acres yet cultivated

1. In 1889, wheat was 5/3, in 1896, 2/3.

2. For shortage, see S.A. Debates, 1897, Council, p. 250. Cp. the rush to the fringe. "Register," 19/8/93. Also the criticism directed against the Government for not opening the treeless and waterless Nullarbor Plains. Debates, 1912, p. 30; "Register," 8/7/89.

3. S.A. Debates, Assembly, 1900, pp. 107-8.

4. Although the 28 agricultural areas included a million acres, the best land had been chosen by the mid-nineties. See paper A17 of W.A. Votes and Proc., 1895.



331. Half of the total area alienated was in the hands of 656 persons with less than  $\frac{1}{2}$  per cent. under the plough.<sup>5</sup> So too with the Riverina, the Western plains of Victoria, the Downs of Queensland and the lands immediately beyond the range in Western Australia. In South Australia there were 130 estates averaging over 20,000 acres<sup>6</sup> and similar conditions prevailed everywhere. Australia was atoning in full for the faulty policies of the past.

Thus there were a demand for land and a need to put the people upon the land, but the land itself was alienated and lying idle. Taxation was of dubious value and was too slow to break up the estates. One alternative alone remained—for the State to purchase land back from the owner, either by voluntary or compulsory means, and subdivide it. From the early nineties, this policy of closer settlement has been the leading feature of Australia's land activities; and means intensive settlement in the nearer districts rather than pioneer work in the arid outskirts.

As in the case of village settlements, New Zealand led the way but the training ground for closer settlement on the mainland was the "blocker" system of South Australia. The idea was to provide a workman with a small area close to the scene of his employment, and so successful was it<sup>7</sup> that, in 1890, the Government obtained special powers to repurchase land from private owners<sup>8</sup>—the commencement of repurchase in Australia. Though the system was only temporarily successful,<sup>9</sup> it prepared the way for closer settlement elsewhere.

Queensland next took up the idea (1891) and in 1894 Barlow passed the "Agricultural Lands Purchase Bill"<sup>10</sup>—a simple measure providing for "the purchase of land by debentures, and the exchange of land for other land." The Land Board was to report on each proposal but the contract did not require

5. N.S.W. Debates, N.S., Vol. 2, 1901, p. 1138.

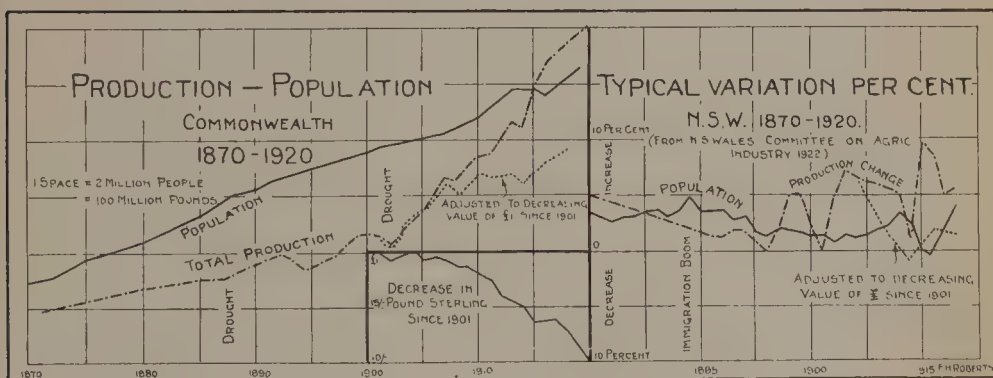
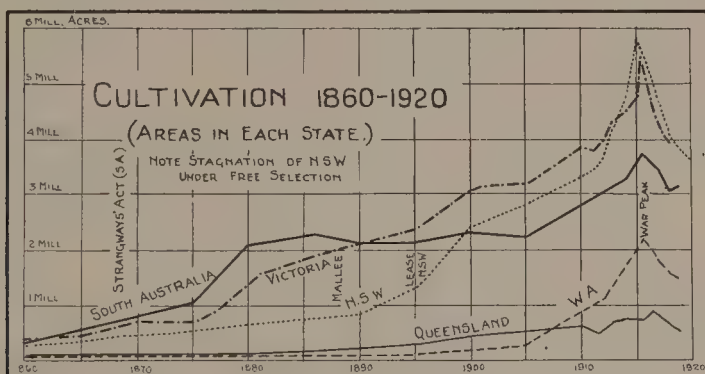
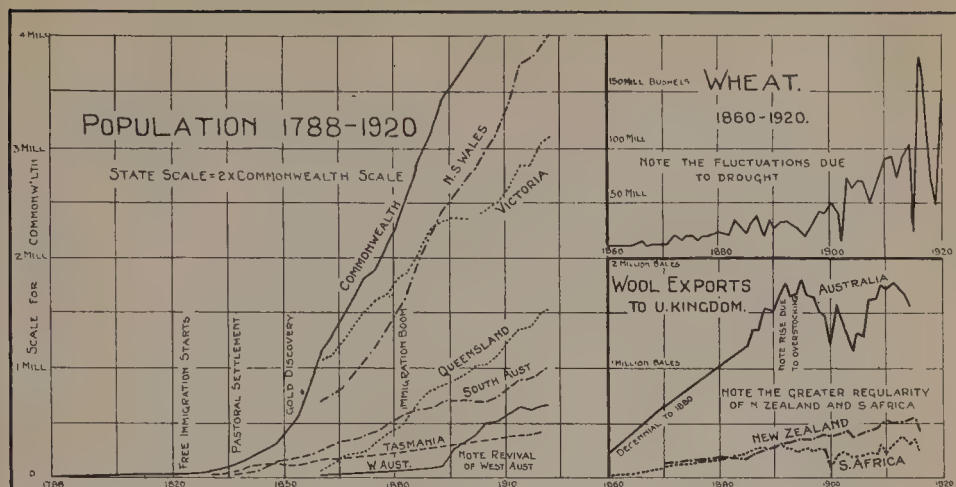
6. See S.A. Paper 53 of 1891, for Goyder's report on large estates.

7. S.A. Surveyor-General's report of 1897, p. 5; "Register," 10/11/88; Debates, 1890, col. 1397; "Our inheritance in the Hills," p. 12.

8. Recommended by the 1888 Commission. Debates, 1890, col. 2106. Note the "Register's" prediction of 26/8/91.

9. By 1893, there were 3000 blocks, but in 1895 a sudden collapse set in, because of the greater attraction of closer-settlement blocks. See reports of Inspector of Homestead Blocks for the decline of this tenure, esp. Paper 96 of 1901, p. 1. For survey of the whole history, see Paper 10 of 1915, p. 19.

10. Queensland Debates, Vol. 65, 1891, p. 1383; Vol. 71, 1894, pp. 728-31; Vol. 72, pp. 1379, 1402. The centre and the north opposed the project which was limited to £100,000 yearly. Amended in 1901, 5, 6, 13, 17. See section in Bernays, p. 327 et seq.



## POPULATION AND PRODUCTION.

Figs. 70-75.



the ratification of Parliament. The land was to be split up into small farms, the new occupant paying the purchase price and 10 per cent. extra. Despite arranged obstruction, the measure became law and was so successful that its scope was continually extended.

Western Australia (1896) then passed a transcript of the Queensland Act but limited its operation to land within twenty miles of railways.<sup>11</sup> It converted sheepwalks into flourishing farms and its scope, therefore, was doubled in 1909 and again in 1912. In South Australia, too, the Kingston Government (1897) extended repurchase from the small homestead blocks to the large estates,<sup>12</sup> the basic idea here being that the land should be leased and not sold, for it was held that, if the Government acquired land for communal purposes, no loophole should be left for aggregation. Until its removal in 1902, this feature distinguished South Australia's closer settlement from that of the other colonies.

In each of these cases, the decision rested with the Board and the Minister, but New South Wales and Victoria introduced a different principle. They rejected the argument that a contract was an executive rather than a legislative act and held that abuse could not be prevented if both Houses did not sanction each individual agreement. So that, while the Act was administered by a Board in New South Wales (1900)<sup>13</sup> and by the Lands Department in Victoria<sup>14</sup> (1898), the actual decision rested with Parliament.

By 1900, therefore, each of the mainland States provided for voluntary repurchase. In each the policy was successful and led to a demand for compulsory means of acquiring valuable land. In Queensland, the dairying success of the South was directly attributed to the repurchase of the Downs estates, with

11. W.A. Debates, N.S., Vol. 8, 1896, pp. 157-65, 953-5. Regulations in Paper A11 of 1897. For later Acts, see Debates, Vol. 11, p. 1248; Vol. 13, p. 2078.

12. S.A. Paper 134 of 1895. To the end of 1898, 15,776 acres had been purchased for £373,948. For previous unsuccessful Bills, see Debates, 1891, col. 1591 et seq.; "Advertiser," 20/10/91, 4/11/91; for the 1897 Bill, see "Advertiser," 13, 20/8/97; "Register," 5/10/97; Assembly Debates, 1897, p. 468 et seq.

13. N.S.W. Debates, Vol. 82, 1896, pp. 534-40 (dropped); Vol. 108, 1900, p. 5335; N.S., Vol. 1, 1901, p. 765; Vol. 4, p. 4244 (passed with compulsory clauses omitted).

14. Victorian Debates, 1898, Vol. 88, pp. 1218-26. The debates largely waged round the issue as to how far land nationalisation had been responsible for the present ruins in Yucatan!



the result that a special Act of 1901<sup>15</sup> purchased five very large estates in the South. Toowoomba, Warwick and the surrounding towns flourished, as three-quarters of the subdivided lands were in their vicinity. A demand then arose to extend the system to the runs between Gympie and Bundaberg and to the central country in general.<sup>16</sup> The Act in short was a success in every way. Of the 664,000 acres purchased up to the Amending Act of 1913, over 530,000 acres had been disposed of and the arrears on a principal of nearly two millions amounted only to £19,017.<sup>17</sup> Even of this, most was concentrated on the two estates of Gowrie and Jimbour which had been purchased at a prohibitive price.

In New South Wales, there has been less resumption, only 32 estates including 746,136 acres being acquired up to 1922.<sup>18</sup> But even this resulted in 1682 new settlers and many more indirectly, for the repurchase Acts in New South Wales have had the effect of quickening private subdivisions. By 1909, for example, nearly a million and a quarter acres had been split up in this manner,<sup>19</sup> an outstanding instance being the rich Gloucester estate of the Australian Agricultural Company. For the rest, activity in this State has taken the form of arranging taxation so that subdivision may be effected by pressure in this manner rather than by directly resuming lands.

South Australia was impeded at first by the restriction on freehold, for a perpetual lease meant no repayment of the price paid by the Government. Hence, when lease gave way to fee-simple in 1902,<sup>20</sup> there was an immediate increase of the scope of the Act both in regard to amount and area. The Murray lands now came under the scheme and when the Land Board obtained discretionary powers and when larger blocks were allowed, progress was still more noticeable. Yet the demand

15. Queensland Debates, Vol. 79, 1898, p. 2; Vol. 88, pp. 2442-71. "Courier," 14/12/01.

16. E.g., Debates, Vol. 88, 1901, pp. 2392, 2457; 11 of 15 estates were in the Downs. Cp. "Courier," 3/10/07; Debates, Vol. 116, 1913, pp. 2205, 2210.

17. Queensland Debates, Vol. 116, 1913, p. 2099. But country journals like the "Farm Bulletin" and the "Grazing Journal," commenced an agitation in 1914 against the fact that only 2600 settlers had been placed on the land since the commencement of the scheme, i.e., that the returns were satisfactory in nature, but not in amount. A troublesome period after 1914 necessitated relief measures (1915, 1917), but this was only temporary.

18. For details each year, see 1922 report on lands, N.S.W. No estates have been acquired since 1916, and only five since 1911.

19. N.S.W. Debates, Vol. 35, 1909, p. 2200.

20. S.A. Surveyor-General's report, 1902-3, p. 5; "Register," 17/7/02; Debates, 1902, Assembly, p. 75; Council, p. 168.

was still five times greater than the supply (1910) and the central wheat belt remained locked up. Under the voluntary scheme, therefore, although £1,230,260 of agricultural land and £52,738 of the loamy Murray swamps had been repurchased and although 5000 settlers had been placed on the land, the limit was reached and the peculiar features of the State made compulsion inevitable.

On the other hand, the conditions in Western Australia were closer to those of New South Wales, for the measure had the dual effect<sup>21</sup> of satisfying "the continued demand for agricultural land" and creating "a growing desire on the part of large landholders to subdivide their estates." By 1902, eleven estates of an area of 81,695 acres had been purchased<sup>22</sup> while legislation of the ensuing year extended the Act to sandplain and lesser lands in general. From that time, no change occurred until the reclassification of 1917, when the excessive values placed on the first lots were redressed.<sup>23</sup>

In Victoria more difficulties arose than in other States, due to administrative points and to the need of submitting each proposal to the legislature. Only five areas were acquired during the six years of the 1898 Act,<sup>24</sup> the area being 33,654 acres and the average price nearly £6 an acre.

To expedite matters, Bent's Act of 1904 provided for a part-time Board but, despite years of prosperity, the measure was unsatisfactory; men were not placed on the land; and the ministry was overthrown (December, 1908), chiefly on account of the stagnation in land matters.<sup>25</sup> Acts of 1909 and 1912 attempted to mend matters by providing for a fully paid Board and easier terms but the result was to bring closer settlement to a standstill, a sub-committee of the Cabinet reporting that the Watt Government's policy was "a bar to our future progress."

21. W.A. Debates, N.S., Vol. 10, 1897, p. 2; annual report of Agricultural Bank (Paper 20 of 1897), p. 2; "Inquirer," 11/8/93, p. 24.

22. W.A. Paper 9 of 1898, A19 of 1902, and annual reports of Lands Purchase Board.

23. The settlers on repurchased estates had been passed over in the general reclassification of 1915, although their dues were four times those of ordinary settlers. Cold Harbor, Bowes, and Oakabella were in particular overvalued, Avondale was applied for only by "a couple of Nor'-Westers," Yandanooka was closed up. Hence came the revaluation of 1917. Debates, Vol. 53, 1916-7, pp. 5, 11, 202, 415.

24. Victorian Debates, Vol. 13, 1899-1900, pp. 3601 (Wando Vale); Vol. 94, 1900, pp. 978-981 (Wimmera and Whitfield); Robertson's history in Vol. 149, p. 524.

25. Victorian Debates, Vol. 119, 1908, pp. 1718-22; cp. report of Commission (1909) appointed to enquire into land purchases of Bent ministry.

A Royal Commission, appointed to survey the whole situation found that, in 38 of the 91 estates purchased under the 1904 Act, there were complaints.<sup>26</sup> The trouble centred round the famous "Section 69" which insisted on perpetual residence. The selector thus had only a "spotted title" but, more serious still, the great majority had not been informed of this limitation.<sup>27</sup> The London "Times"<sup>28</sup> warned emigrants of the deception and, apart from practically stopping settlement, the clause prevented 2000 settlers already on the land from obtaining loans, for they had no security. A Royal Commission (Dickson) emphatically opposed the proviso for, if it were not "fraudulent concealment," at least "it was studied reticence," openly encouraged by the Lands Department.<sup>29</sup>

Not till 1918 was the section repealed and in the interim there was continual trouble. Another Royal Commission in 1915<sup>30</sup> recommended the supersession of the Lands Purchase Board, on the ground that unsuitable estates had been purchased at excessive prices. It found that 400 settlers had been driven off the land and that much of the repurchased land was suitable only for auction without conditions!

In the interim (1915-7), a departmental Board—the "Ca' Canny Board"—cleared up matters and then a new body, the Closer Settlement Board, was appointed by the 1918 Act. Anomalies were readjusted, unsuitable lands sold, reappraisements made, and the finances placed on a sounder basis, the total amount written off coming to £200,000, for 84,000 acres were useless. At the same time, the need for a resolution by the Houses was dispensed with.<sup>31</sup>

Thus, from 1904 to 1918, closer settlement in this State was not prosperous. Though 86 estates of 531,780 acres were

26. Report of Sub-committee of Cabinet on Closer Settlement, 1914. See "Argus," 6, 21/1/14, 4/2/14. Cp. Debates, Vol. 135, 1913-4, p. 3791, 3712; Vol. 127, 1911, pp. 874-8.

27. Victorian Debates, Vol. 133, 1913-4, pp. 1066-9; "Age," 4/9/13. 700 sworn declarations against these titles were submitted to the Council in 1912. See "Age," 12/1/05, 28/3/09 for imposition. "Argus," 10/1/13; evidence in 9-26/4/13, 24/9/14, 24/6/15.

28. "Times," 4/4/12; "Age," 12/9/13. Cp. report of 1915 Commission—"proved conclusively that 99 per cent. of the farmers knew nothing about the conditions imposed by section 69."

29. Dickson reported that an instruction of the Lands Department laid it down that "undue prominence was not to be given to the condition of residence." Cp. reply of Lands Purchase Board, 17/8/15.

30. Progress report, 1915, section 1. Cp. Debates, Vol. 140, 1915, p. 1714, et seq. Final report, 8/11/16. Of the 69 recommendations, 53 were adopted.

31. Victorian Debates, 1918, Vol. 149, pp. 14, 524 (after a threefold disagreement between the Houses); "Argus," 30/11/18, 20/12/18.



bought for £4,016,909, only 3131 farmers<sup>32</sup> were accommodated. The arrears, too, amounted to £471,777, while the demand was "less than it otherwise would have been." Of 42 estates, only nine were successful up to 1915<sup>33</sup> and, since then, the difficulty of clearing up past troubles has prevented advance.

In Tasmania, voluntary repurchase was commenced in 1906<sup>34</sup> and there was the same story of unsuitable estates. Of the five purchased within the first three years, four were overvalued, one in particular, Isandula, a scrubby area, being "a very grave mistake." A Select Committee (1909) reported that "very grave errors in the selection of estates had been made"<sup>35</sup> and, accordingly when one more was purchased,<sup>36</sup> the Assembly passed a resolution forbidding further purchases until the best lands could be acquired compulsorily. By this time, 134 farmers had been settled and 34,441 acres purchased but this practically ended the history of repurchase in Tasmania, for the Assembly's ban was not removed until the end of 1911<sup>37</sup> and, after 1914, financial considerations and the needs of soldier settlement prevented a revival.

The prosperity of closer settlement in some States, its weakness in others, led to a demand for compulsory resumption in the early years of this century. As early as 1898, Victoria had proposed this but the Council had remained firm in its objections until the exodus of farmers to the North, to South Africa, and even to Japan,<sup>38</sup> rendered a change inevitable. Even then (1904), the compulsory clauses were modified and were to be used more as a threat than in practice.<sup>39</sup> In reality, they practically meant that separate Acts had to be passed for each transaction, for direct compulsion by executive action was refused by the Council until 1917, in the case of soldier settlements, and 1918 for ordinary holdings.<sup>40</sup>

32. In addition there were 1398 agricultural laborers. See returns in Debates, Vol. 149, 1918, pp. 520-1. Cp. Queensland's 2600 settlers.

33. The Royal Commission of 1915 found that one of eighteen purchases by the 1910 Board was successful.

34. Paper 15 of Tasmanian Votes and Proceedings, 1907, first report of Closer Settlement Board, 17/7/07.

35. Paper 18 of 1909, pp. 2-4; "Launceston Examiner," 26/6/09; cp. the inadequate reply of the Closer Settlement Board (58 of 1909).

36. Report of Closer Settlement Board, paper 20 of 1910; cp. 15 of 1911.

37. Closer Settlement report of 1912. For position, see Perry's report (Paper 13 of 1913), p. 2, complaints from five of nine estates.

38. "Ballarat Stock and Station Journal," 5/7/04.

39. Victorian Debates, Vol. 107, 1904, pp. 267-273, "we are only striving for the principle."

40. Victorian Debates, Vol. 146, 1917, p. 709. Rejected in 1909 and 1912.



South Australia had to undergo a similar struggle but, when droughts occurred outside Goyder's Line, the 1,200,000 acres of good agricultural land within the rainfall areas had to be opened. The issue was between compulsory acquisition of large estates and a renewed migration to Queensland but the Council thrice rejected the proposal before it became law in 1910;<sup>41</sup> and, in the interim, settlers had been forced to the dry lands near the eastern frontier.

Queensland<sup>42</sup> and Tasmania obtained compulsion in 1906 and 1911 without any trouble, while Western Australia has remained satisfied with the voluntary system, inadequate as it is. In New South Wales, a different line again has been taken, novel experiments aiming at the opening of "land-locked areas." Compulsion was obtained in 1904 at the fourth attempt but the emphasis was on fostering private subdivision (1909-10), the supertax of 1913 going further in this direction.<sup>43</sup>

The position,<sup>44</sup> therefore, is that compulsory repurchase is non-existent in Western Australia, has lapsed in Tasmania and is in the background in New South Wales. Queensland and South Australia, on the other hand, are applying the principle further, although there have been complaints of abuse in both, especially the latter. Victoria is turning rather to irrigated than repurchased lands, for her experiences have not been encouraging. In only two of the six States, therefore, is there successful compulsion, control in both being by a non-political Board. In every State, unduly high prices have been paid, for repurchase has been linked up with booms, as in the case of the

41. Proposed in 1899, but rejected, because S.A. was chary about leading the world "in a policy of extreme experimental legislation." Debates, 1898-9, p. 999. "Register," 6/9/99, sums up current opinion.

"He who takes what isn't his'n,  
When he's cotched, is sent to prison."

See "Register," 7/8/05, 27/8/06; Debates, 1904, p. 1045; 1905, p. 206; 1906, p. 348; 1910, pp. 219-220.

42. Queensland Debates, Vol. 97, 1906, p. 1195; Vol. 98, p. 1503.

43. "Sydney Morning Herald," 6/6/96, for attitude; N.S.W. Debates, Vol. 16, 1904, pp. 1826-30; Vol. 27, 1907, pp. 764, 1094 (three boards); For Bills aiding subdivision, see Vol. 34, 1909, pp. 1710-25; Vol. 35, p. 3198; Vol. 37, pp. 555, 806 ("Closer Settlement Promotion Bill").

44. To 30/6/21, the position was:—

	N.S.W.	Vic.	Q'land	S.A.	W.A.	T.
Area acquired . . .	1,297,624	575,900	785,311	783,862	446,804	96,346
Purchase price . . .	£5,504,487	£4,298,765	£1,955,060	£2,628,073	£421,373	£338,437
Farms allotted . . .	2985	3619	2915	2789	739	300
Area allotted . . .	1,293,873	514,773	738,659	718,484	343,237	80,911
Acres resumed						
per settler . . .	435	158	269	281	604	321
Cost per settler . . .	£1844	£1887	£670	£907	£570	£1128
Percentage allotted . .	99 p.c.	89 p.c.	94 p.c.	91 p.c.	76 p.c.	83 p.c.

The last two lines have to be considered to give a comprehensive view.

North-West of Tasmania or the Jimbour country in Queensland.<sup>45</sup> Then there is the question of administration, for all the systems in force cannot be correct, and, though the trend has been towards a suitable, but not necessarily a legal, Board, Boards in four States have been proved at various times to be either corrupt or negligent. The history of resumption, in short, has been a chequered one, and the emphasis is now on consolidation and steady progress rather than the "boom" settlement of the first decade of this century.

45. A kindred difficulty is to acquire estates which are large enough to trouble over, and yet which contain a sufficient proportion of agricultural land.

## CHAPTER 29.—WATER AND IRRIGATION SCHEMES.

In the eighties, attention was directed to a peculiarity of Australian physiography—that Australia possessed a supply of underground water probably the most extensive in the world.<sup>1</sup> Russell, the Government astronomer of New South Wales, aroused interest in this (1879) by proving that the Murray carried off nearly twenty times as much water as the Darling in proportion to its size. In other words, artesian or underground water lodged in the area known as the “Great Artesian Basin” stretching from the Darling and Lake Eyre north over most of Queensland to the Gulf of Carpentaria. In addition, six smaller basins have been discovered, one around the Murray and five in Western Australia.<sup>2</sup>

Russell's prediction that “an unlimited supply of good water” would be found under the surface was soon justified for, within a year, water was tapped at Killara Run, just beyond the Darling (1880). There was consequently a boom in this regard in the early eighties, especially in Victoria, but interest waned when less than 15 per cent. of the bores were successful. To date, however, there are 5170 bores in Australia, three-quarters of which are in Queensland.

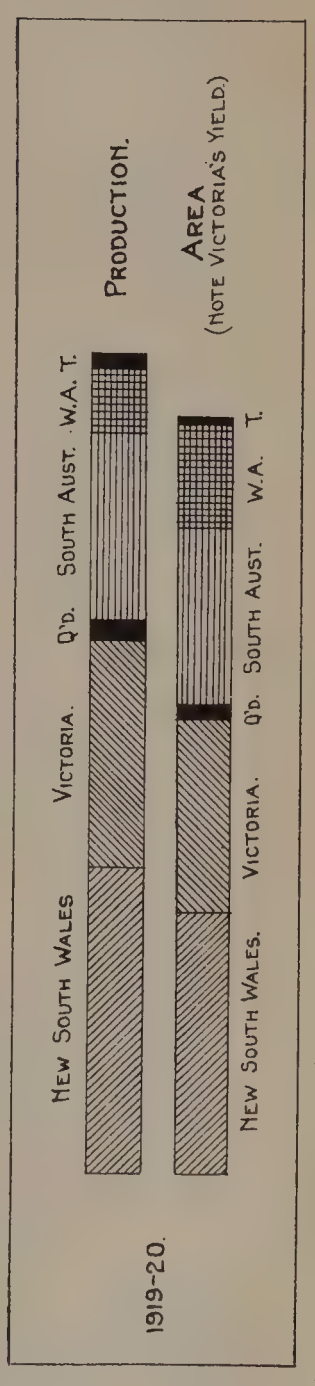
The most beneficial results have been obtained in the dry pastoral country, especially in the north-west of New South Wales and in the Northern Territory. Recent developments in the Pilliga scrub country and the Pinnaroo of South Australia have added to the value of the dryer settled lands, although not much success has been met with in the Mallee or Eyre's Penin-

1. Final report of N.S.W. Committee on the Agricultural Industry, 1920, p. 109. Cp. “S.A. Register,” 11/4/50, 3/3/51; Victorian Historical Magazine, Vol. 4, 1914-5, p. 135 for 1847 project; Journal of Royal Society of N.S.W., 1883, p. 149, et seq. (Wood); Cp. 1889, pp. 75-91.

2. Article in Commonwealth Year Book, 1922; E. Pittman's “Mineral Resources of N.S.W.”; Victorian Debates, Vol. 110, 1905, p. 1021; “Age,” 25/11/02; “Argus,” 8/1/05; Hydraulic Engineer's report on Water Supply of Queensland, 1904; Queensland Geographical Journal, 1902, article by Thomson; R. L. Jack's “Artesian Water in the state of Queensland” (16 pp., 1922); Proceedings of Institute of Civil Engineers, 1905, p. 135, for article on “Artesian System of W. Queensland.” Also, article in Proc. of Royal Society of Queensland, Vol. 25, 1914, pp. 527-531; the excellent treatise by E. F. Pittman, “Great Australian Artesian Basin” (57 pp. and maps, 1914); reports of Inter-state conference on artesian water, 1914, 295 pp. See frontispiece.



# DISTRIBUTION OF WHEAT IN AUSTRALIA 1918-19.



# WHEAT IN AUSTRALIA—PRESENT POSITION





sula or the Eucla region. Further north, in Australia's "dead heart," however, an extension of bores will undoubtedly add to the pastoral resources of the Commonwealth and, as in the interior of New South Wales, detract from the uncertainty of the stockman's life. But the prohibitive cost renders the assistance of Government inevitable.

More important for general settlement are the possibilities of irrigation which were the subject of active discussion throughout the Australia of eighty years ago. The Wakefield theorists emphasised this matter and the success of Lombardy and Venice led the Colonial Office to make inquiries throughout Australia as to its possibility there.<sup>3</sup>

Two men led the way, Strzelecki, the Polish explorer, in New South Wales<sup>4</sup> and Major Cotton in Van Diemen's Land. The former stressed the Karua and Hunter Rivers, the latter the Great Lake. Cotton went further and took active steps to convert his scheme into practice, thus commencing the first extensive irrigation in Australia. He was appointed "Surveyor for Irrigation" and was confident that 35,000 acres could be irrigated for £24,500.<sup>5</sup> Convicts actually started working on the Macquarie and Elizabeth Rivers and a dam was planned at Long Marsh (1843). But within two years, the work was abruptly stopped and Cotton returned to India, achieving fame as one of the great irrigators of the North-West provinces. It is interesting to note that recent projects in Tasmania use exactly the same rivers and dam sites as Cotton fought for eighty years ago.

Not for over thirty years after this was there another practical irrigation scheme, although the aridity of the fifties turned attention of thinkers in that direction.<sup>6</sup> The success of desert

3. Wakefield's "S.A." (1835), pp. 14-5; "Colonial Gazette," 2/9/43; "S.A. Register," 30/4/46; "Westminster Review," October, 1834, p. 459. For interest of Colonial Office, see circular despatch of 8/4/47, or "S.A. Government Gazette," 28/10/47.

4. Strzelecki's "Physical Description of N.S.W. and V.D.L.," pp. 375, 446; cp. A.A. Company's first prospectus for emigrants, 1846, p. 11.

5. Wilmot-Stanley, 18/7/44, 2/1/45, 12/8/46, enclosures; Cotton-Gladstone, 27/7/46; Tasmanian Journal of Natural Science, Vol. 1, 1842, article by Cotton; "Papers relating to the irrigation of lands in Tasmania" (1855), pp. 7, 44-45; Cotton's lecture on irrigation (pamphlet, 1844); "Tasmanian Journal of Agriculture and Horticulture," 1/2/59, 1/8/60, 1/10/60; Cotton's reports in Wilmot's despatches of 17/7/44, 20/8/44, 4/3/45; Papers of Royal Society of Tasmania, Vol. 1, 1851, pp. 257-264 (paper by Denison).

6. E.g., Trans. of Philosophical Institute of Victoria, Vol. 1, 1855-56, pp. 67-70; W. Culcheth's "Irrigation" (1886); Journal of Agricultural Society of N.S.W., January-July, 1877; bulletin of Victorian Department of Agriculture, July, 1889; Proc. of Victorian Royal Society, 1888, p. 21; "Victorian Review," 1882, p. 381 et seq.; N.Z. "Country Journal," March, 1886, pp. 103-7; Royal Geographical Society of N.S.W. and Victoria, 1884, article by Gipps.

reclamation in the American West was the turning point and Australia was convinced that "the work of irrigation may be successfully applied to unproductive lands, so as to effect their fertilisation."<sup>7</sup>

In Victoria a Royal Commission (Deakin) was appointed to consider whether the Californian ideas could be adapted to local conditions and, as a result of Deakin's visit to America and the long campaign of McColl, the 1886 session of Parliament was "largely directed towards the promotion of irrigation."<sup>8</sup>

It was decided to give every encouragement to individuals and to undertake an "acceptance of direct State responsibility,"<sup>9</sup> if necessary. The Government was to effect works on the Goulburn and, even more important, a private experiment was to be sanctioned in "the most wretchedly inferior of grazing country" in the North-West.<sup>10</sup>

This was the Mildura settlement of the Chaffey Brothers who had founded a successful desert colony at Ontario, California. Special Acts of Parliament were passed by which 250,000 acres were reserved both at Renmark in South Australia and Mildura in Victoria (1886).<sup>11</sup> The Chaffeyes were to have a right to occupy 50,000 acres at Mildura and 30,000 at Renmark at once, and, in return for the water rights, were to spend £10,000 within twelve months, £35,000 in five years, and £300,000 within twenty years in each colony.<sup>12</sup>

Commencing at Mildura, they spent ten times the stipulated amount and secured a population of 1500 within two years. The land, subdivided in blocks of ten acres, was offered to the public at £20 an acre, a reasonable price in view of the fact that it was cleared and that permanent water rights were secured to the buyer. By 1894, 8225 acres were cultivated, chiefly in vines and fruit, and obviously, Australia's first experiment in intensive cultivation by irrigation had succeeded and, though the founders

7. N.S.W. Debates, Vol. 35, 1889, p. 1; cp. Victorian Debates, 1884, Vol. 46, pp. 810-12, 993.

8. Victorian Royal Commission on Water Supply. First Progress Report, 1885.—"Irrigation in Western America so far it has relation to circumstances in Australia."

9. Victorian Debates, Vol. 51, 1886, p. 37; "Age," 23/6/86; cp. Tasmanian Select Committee in paper 143 of 1883, p. 4.

10. So called by "The Queenslander," in 1890.

11. For Victoria, see J. Vincent's "The Australian Irrigation Colonies" (1889), pp. 6-24; for S.A., see "Register," 19/7/87; Debates, 1887, col. 251.

12. For general account, see Vincent, above; Report in Western Australian paper 6 of 1891-2; N.S.W. report on Agricultural Industry, 1920, pp. 122-25; P. G. Lavater's "Mildura Irrigation" (1895).

were involved in the bank failures of 1893, the scheme went on continuously. The result was that land which maintained 1300 sheep in 1886 and which realised only £7/10/- revenue was producing a million and a half pounds of primary products in 1920, with a population of over 20,000.<sup>13</sup>

Since that time,<sup>14</sup> larger projects have been under State control, the most extensive being the scheme of New South Wales to lock the Murrumbidgee. An Act of 1906 provided for a huge weir at Burrinjuck in the gorges at the sources of the river.<sup>15</sup> This was to hold back nearly as much water as the Assouan dam in Egypt, for forty-six miles up the valley; and the water so stored was to be distributed over 1,358,000 acres. The possibilities of irrigation in this district had already been demonstrated by McCaughey, the great pastoralist, on his estates at North Yanco, and so rapidly did the work progress that the first farms were allotted in 1912, "an epoch in the agricultural development of the interior of the State."<sup>16</sup> This was at Yanco, on the Hay railway line, and was followed by a second area at Mirrool. By June, 1922, 108,000 acres were occupied by settlers, a railway opened between the settlements,<sup>17</sup> and an interesting experiment in self-government in operation.<sup>18</sup>

In Victoria during the same period, the Goulburn Gravitation Scheme was commenced, a weir near Nagambie and a storage basin at Waranga serving 868,000 acres of the Goulburn, Campaspe and Loddon valleys. A second Goulburn storage at Sugarloaf Dam has been progressing since 1911 and will treble the storage capacity. Since administrative changes in 1915, a more active policy has been pursued in Victoria, the projects in all leading to the occupation of 148,500 acres by 3140 settlers.<sup>19</sup>

13. Renmark, commenced in 1893, was on a smaller scale, though, even there, a population of 4000 produces £235,000 yearly.

14. For position at this time, see article by Jung on *Die Wasserversorgung des Australkontinent*, in *Geographie Zeitschrift*, Vol. 6, 1900, p. 199, et seq.

15. N.S.W. Debates, Vol. 25, 1906, pp. 4355-56; Queensland Geographical Journal, 1906, p. 20, article by Thomson; Agricultural Gazette of N.S.W., March, 1909, pp. 177-185; Annual of Royal Agricultural Society, N.S.W., 1913, pp. 109-130; "Science and Industry," 1919, pp. 341-7. See fig. 52.

16. N.S.W. Debates, Vol. 46, 1912, p. 1; "Sydney Morning Herald," 24/7/12. For resumption of lands and control of speculation, see Vol. 38, 1910, p. 1905; Report of Public Works Committee, October, 1906; "Sydney Morning Herald," 9/8/10.

17. Report of Water and Irrigation Commission, 30/6/22, pp. 5-9.

18. For administration, see Debates, Vol. 25, 1906, pp. 4618-9 (Board); Act of 1910 (trust); Vol. 49, 1912, p. 3872 (permanent commissioner). Irrigation Amendment Bill, 1916. The most recent experiment has been to set up executive committees, representing the growers.

19. Commonwealth Year Book, 1922, pp. 447-8, 178. See fig. 67.



It is estimated that on the lands repurchased for irrigation the State has placed eighteen settlers where there was but one before.

Of recent years, the stress has turned to the Murray itself, for the long dispute between the three States concerned with the riparian rights was ended in 1914.<sup>20</sup> The Premiers' agreement of that year afforded a new scope to the irrigation schemes of South-East Australia, for the "Murray Waters Agreement," as it was termed, provided for the locking of the river from Echuca to Blanchetown. At a cost of £4,666,000, 35 weirs are to be constructed, a big dam built at Camberooona on the upper reaches of the river to hold back the water, and a storage at Lake Victoria provided to keep it until its distribution.

Under the original terms, each State was to provide £1,200,000, and was to undertake certain work. Acts were easily passed, after the Commonwealth smoothed the way by agreeing to grant £1,000,000 towards the scheme, and a Murray River Commission of four persons was set up in January, 1917. Since then, work has been steadily progressing, but it soon became evident that the original agreement did not suffice. Therefore, an amendment of 1920 provided for excess expenditure and for control by the Central Commission.<sup>21</sup>

In the other States, irrigation is unimportant, although since 1915 Tasmania has concentrated on the valley of the Lake River.<sup>22</sup> The future of irrigation in Australia undoubtedly lies on the Murray, in particular on the New South Wales side, where it is claimed that 6720 settlers can be accommodated.<sup>23</sup>

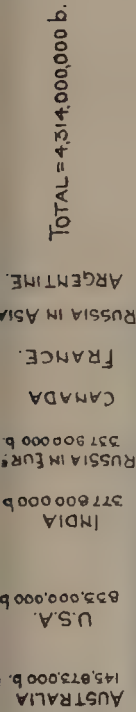
Irrigation has already placed 6598 new settlers on 276,000

20. For this question see articles by McKinney in *Journal and Proc. of Royal Society, N.S.W.*, Vol. 34, 1900, p. 233; and the very careful articles by the French expert, Privat-Deschanel, in *Annales Geographie*, Vol. 17, 1908, pp. 145, 224, 302, et seq., on *La question de l'eau dans le bassin du Murray*. For typical enabling Act under the 1914 agreement, see *N.S.W. Debates*, Vol. 57, 1914-5, pp. 2364-5; cp. "Argus," 6-9/4/14, 15, 20/5/14.

21. C. T. Stephenson's "Harnessing Australia's Greatest River" (1920); "Science and Industry," June, 1920, p. 352; H. H. Dare's "River Murray Water Scheme" (1919), esp. the plans.

22. It is still dubious as to how far this State is suitable for irrigation, although it is now clear that the Central Lakes cannot be utilised, save at a prohibitive cost. See Perry's report on Great Lake, 9/9/14, p. 3; Dethridge's report on Irrigation (Paper 11 of 1916)—doubtful; Williams' report in Paper 28 of 1917, p. 11 (favors Lake River); cp. 46 of 1919, and 9 of 1920 (adverse report of a Committee); cp. notes by Minister of Works in papers 42 of 1919, and 52 of 1921. Also, select committee in 22 of 1921.

23. See report of Murray Lands Advisory Committee, N.S.W., 20/9/22; final report on Agricultural Industry, 1920, pp. 110-114; cont. report of Chief Inspector of Agricultural Department (Paper 70 of 1922). N.S.W. has a small settlement at Curlwaa, near Wentworth, but, although her mallee lands are slightly superior to those on the southern bank, there are no railways and no bridges for nearly 400 miles, from Swan Hill to Murray Bridge. See fig. 54.



TOTAL = 4,314,000,000 b.

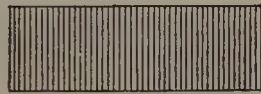
ALL OTHERS



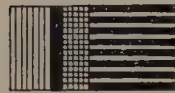
## THE WORLD'S WHEAT YIELD, 1920.

(IT MUST BE NOTED THAT AUSTRALIA'S AVERAGE YIELD IS 100,556,000 BUSHELS (1910-20).)

TOTAL = 15,069,853 ACRES.

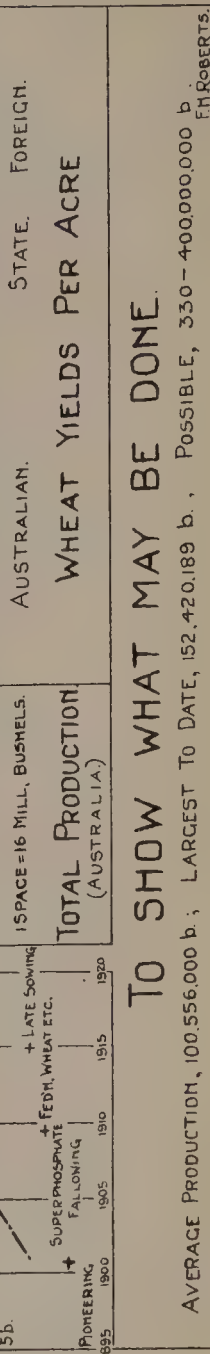
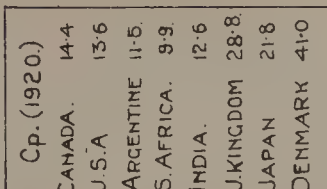
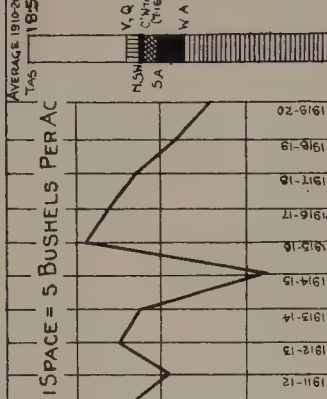
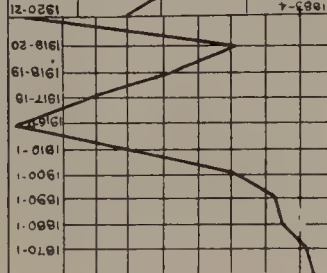
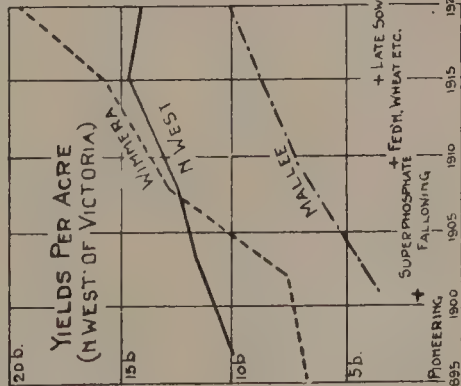


WHEAT  
9,072,167 AC.



ALL OTHERS.  
FORAGE 406,954 AC.  
OATS 936,996 AC.  
HAY 233,189 AC.

## ACREAGE OF CROPS, 1919-20.



## TO SHOW WHAT MAY BE DONE.

AVERAGE PRODUCTION, 100,556,000 b.; LARGEST TO DATE, 152,420,189 b. POSSIBLE, 330-400,000,000 b. F.H. ROBERTS.

## WHEAT IN AUSTRALIA—POSSIBILITIES



acres of the south-east (1922) and has increased the dried fruit exports nearly fifteen-fold in a decade. Moreover, Australia is but on the threshold,<sup>24</sup> for the wheat belt and intensive fruit cultivation can now be extended without the uncertainty which confronted, say, the early settlers on the west coast of South Australia or the Victorian mallee. Extension of settlement now depends on financial provision for irrigation and conservation rather than rainfall, though this has been realised only in the last fifteen years.

24. See supplement of "Australian Mining Standard," 17/6/20, or account by Elwood Mead, in "Helping men own farms," 1922. It must be emphasised, however, that the point raised by Privat-Deschanel twenty years ago still holds good—that the extension of irrigation, even in the Murray basin, is limited by the catchment area, and that, in discussions about the qualities of the soil, this point is frequently overlooked.



## CHAPTER 30.—THE NORTHERN TERRITORY: AUSTRALIA'S GREAT EXPERIMENT.

When Queensland and South Australia were set up there was a huge tract of intervening country which for long provided the delusive and romantic element in Australian land policy. This vast area of 355 million acres was always a tantalising land, subject to conflicting reports, for nobody knew how much truth there was to the theory that the Northern Territory, as it was called, was merely the "dead heart" of Australia. Even at the end of the century, this was summed up by the poet, who wrote:—

"For to the north there lies a land

A great grey chaos, a land half made

Where endless space is, and no life stirreth

In the great lone land, by the grey Gulf Water."

—A. B. Paterson.

Gradually, however, it was realised that vitally different zones of country were to be found within the one whole. Above all, there was the luxurious grass country from the coast to the foot of the ranges, and competent observers have declared that this land of the western rivers "is probably the best watered portion of the Australian continent." The Adelaide river flats are of rich deep loam and there are hundreds of square miles with herds of buffalo roaming in grass three or four feet high. Still further north, "a great extent of fertile land spreads out" on both banks of the Daly and comprises every variety of country from fine open plains to white-gum forests. Despite the patches of lighter sandy soil and the barren ironstone ridges, these undulating plains afford endless possibilities for tropical agriculture. Further south than these grassy stretches, lie the tablelands and open downs of Mitchell grass, gradually merging into the inhospitable interior. But even this is in no wise a "dead heart," for the temperate Macdonnell Ranges stand out. Though the plains of dense spinifex are

in many cases useless from a pastoralist's point of view, the range country, being well watered, is capable of development. Much of the land to the south is very mixed, ranging from barren sand-hills to open cotton-bush and acacia plains, but, surveying the Territory as a whole, less than one-third is totally useless to the cattleman.<sup>1</sup>

Rendered attractive by its very nebulousness, therefore, it was this land which drew those adventurous spirits who ever

1. It is important to grasp the configuration of this Territory, for the neglect of this element has led to most of the fiascos of the past. Expeditions are still being despatched to fill in the vacant spaces, although the most that can be hoped for is the discovery of tracts of second or third rate pastoral land. The general nature of the country is best summed up in the report of the American land-seekers of 1912:—

"Here is a country with enormous areas of land, capable of intensive cultivation standing idle and empty. . . In our trip through the Victorian tablelands we covered mile after mile of splendid pastoral country where cattle, whose equal it would be hard to find, were running in a wild state. . . Unlike other parts of Australia, the rainfall is certain and abundant, starting with fifty inches on the coast and diminishing to 24 inches at Wave Hill, far into the interior. The Santa Clara valley, admittedly the garden of California, has only 12 inches. . . Some of the stations had small gardens, where the finest vegetables and fruit grew. The high interior lands are ideal sheep country, and also eminently adapted for horse-breeding. At Wave Hill, we saw a muster of 400 head; they were certainly splendid types of horses bred without systematic effort and in-bred for years; they run wide over the plains. From a cattleman's point of view this country is far ahead of the United States, where, in the winter, mortality among stock is great. It is hard for anyone who has not seen these tablelands to realise their extent and value. . . On the lower coastal belt are boundless alluvial plains, where the grass is ever green, the climate is warm, and buffaloes wallow in the swamps. This is indeed the country for rice and sugar-cane. It reminds one of nothing so much as the Mississippi delta." (Toyne's report, quoted *in extenso* in Bulletin of the Northern Territory, No. 9, pp. 12-13).

This deals only with the North, of which Campbell's report of the Commonwealth Government (1911) also gives an admirable *résumé*, stressing the possibilities for sugar and cotton. Along the hundreds of square miles on the banks of the Adelaide, "the facilities for irrigation could not be surpassed."

For the South, see T. J. Waldron's "Central Australia" (1920); T. E. Day's "Report and Plans of Explorations in Central Australia" (1916). Here the dominating factor consists of the ranges. Note figs. 68-69 to see how pastoral settlement is distributed along these highlands. In this region, the Finke River, the largest in Central Australia, stands out. The country which it waters holds 75 per cent. of the stock south of Barrow Creek, and consists of well-grassed ridges and loamy plains. The country to the east of the Overland Telegraph is generally more favorable than that to the west, while, to the south of the Macdonnell Ranges, is a great sand area. But, whereas earlier explorers (Barclay, etc.) spoke of a desolate waste of high red sand-hills, later observers (Day, in 1916) hold that bores will work miracles. For example, at Anacoora, in the very heart of 300 square miles of these sandhills, a bore put down in 1898 is still providing 700,000 gallons of water daily, and, though this is the poorest herbage in Central Australia, was maintaining 3000 cattle and 700 horses in 1915.

The present opinion agrees with a report of 1871 (N.T. Papers, 71 of 128), that "the land in the Northern Territory presents every variety, from the most barren stony rises to the richest alluvial undulating country," but classifies the land thus:—

- |  |                       |
|--|-----------------------|
| 1. Well watered grazing land of the coast. . .     | 158,000 square miles. |
| 2. Victoria district, flats and plains . . . . .   | 34,000 " "            |
| 3. Barkly Tableland, first class pastoral land . . | 29,000 " "            |
| 4. Second and third class pastoral land . . . .    | 149,000 " "           |
| 5. "Desert" sandhills, spinifex and scrub . . . .  | 162,100 " "           |

(but the reports of Williams and Day minimise even this latter).

See report of 1914 Royal Commission in Commonwealth paper 31 of 1914. Compare the long report of Reynolds, the Commissioner of Crown Lands in N.T. Papers, 73/220.

seek the untamed frontier. The same men who pushed their sheep into the saltbush interior or who raised cattle on the Fijian uplands resorted again and again to the unknown Northern Territory. Flockmasters from South Australia and Queensland led the way; British investors followed; and then came a confused medley of projects the world over. Malagasy tribesmen and Bessarabian communists, Patagonian Welshmen and Californian dry farmers were all attracted. On one occasion, there was to be a reproduction of Japanese feudal society and, on another, colonisation by an expedition of Italian "red-shirts" under Garibaldi himself. Shanghai coolies and Pathan camel-drivers were imported, while, ever and anon, the bankers of the South and the tropical experts of the East dabbled in the hope that the potentialities of the North could be realised.

But, at first, this "great lone land" was merely a trade *entrepôt* or a military outpost. Although King and Bremer skirted its coasts, the listless Arafura washed the shores undisturbed until an onrush of Malay proas threatened the East India Company's monopoly in the Javan archipelago. Then, in quick succession, came three settlements, each embodying a different system of colonisation and each with a separate land policy. The first two were established at the direct behest of the Company's agents<sup>2</sup> and comprehensive plans were formed. At Melville Island and Raffles Bay (1824-29), Chinese from Koepang were to provide the background, "respectable persons" from Sydney were to form the middle class, and a company in England was to maintain a constant supply of settlers. But the colonies remained mere military stations and ended their precarious existence in 1829. Not deterred by this the authorities founded a settlement on the fine harbor of Port Essington

2. The settlement was not due to the French menace, as formerly believed. Not till the third settlement (that of 1835) were the French even mentioned as a contributory factor, and, if the object were merely to set up an anti-French outpost, what was the point of the Company, or of the elaborate land arrangements? See G. W. Earl's "Enterprise in Tropical Australia" (1846), pp. 3-4. Earl, the Commissioner of Crown Lands at the third settlement, directly states that it was "a time in which the public mind was very much occupied with the affairs of the Indian archipelago," and that the land and colonisation policies were merely to subserve this trade. Even in 1837, the chief aim was to maintain "the great amount of shipping that now passes through Torres Strait." "*While the subject was under discussion, it was discovered that a French expedition was preparing at Toulon for the express purpose of taking possession of some port on the north coast of Australia.*" For the Company's activities, see Historical Records of Australia, Series 3, Vol. 5, pp. xi., 794 (Secretary of East India Trading Company to Horton, 1/5/25); Vol. 6, p. 764; the memorial of the Trade Committee, 13/12/23, Vol. 5, p. 764 (Horton to Barnes, 6/4/24), for free settlers.



and once more enunciated a formal land policy.<sup>3</sup> Extensive private initiative was encouraged and, for the eleven years of the colony, a Commissioner of Crown Lands was employed.<sup>4</sup> To entice small settlers from the Sydney seaboard, a system of occupation under renewable license was instituted.<sup>5</sup> Yet all kinds of difficulties emerged. Skilled observers reported that sugar and indigo would not grow and, even if the land were fertile, no labor was forthcoming. It soon became evident that "either a considerable density of free population or slavery to take its place" was essential, but, beyond negotiations with the Chinese headman of Singapore, nothing was done. Gladstone wanted to solve the difficulty by convict labor (1846) but this was rejected here as in the South, while the small settlers in the older colonies did not respond to the numerous advertisements of the land terms. It was evident that a fiasco had occurred and that "it would be a useless waste to carry the experiment one step further" but, since the land policy was one of the favored projects of the Colonial Land and Emigration Commissioners at home, the settlement lingered on "in a dormant and retrograde condition" until 1849.<sup>6</sup> Thus, three schemes had collapsed, their land policies remaining untried save in theory. The north of Australia was once more "a great grey chaos," disturbed only by a few abandoned shacks, a lonely grave and a small clearing which soon reverted to the primitive jungle.<sup>7</sup> But, for nearly a century wild cotton mingled with this jungle in mute testimony to the fertility of the soil.

3. Journal of Royal Geographical Society, Vol. 8, 1839, pp. 500-1, for letter from Bremer, 9/2/39. Cp. Campbell's paper in Vol. 4, 1834, and "Quarterly Review," June, 1841, pp. 133-34.

4. The Commissioner (Earl), said, "the chief duty assigned to me was that of collecting information which might prove useful to colonists in the event of the settlement being thrown open to private enterprise by the sale of Crown Lands."

5. Bremer, the Commandant, wanted to sell lands, but the New South Wales Government, within whose boundaries the colony fell, would grant only occupation licences. In 1839, the following order was issued. (N.S.W. Government Gazette, 11/9/39, p. 999):—

"Notice is hereby given that persons of respectability resorting to Port Essington, for the purpose of trade, will be permitted to occupy, for a period not exceeding seven years, Town Allotments, containing each about half an acre of land, within one mile of the Pier at Victoria, and Suburban Allotments of five acres each, within five miles of the same." Renewable at discretion. "The payment of an annual rent of five shillings per half acre. The lease to be determinable at any time by the Commandant on giving 12 months' notice. All improvements to be effected at the expense and risk of the Lessee. The Lessee not to destroy or injure timber, etc., without previous permission."

6. Earl, *supra*, pp. 39-53, for history. See also his "Handbook for Colonists in Tropical Australia" (Penang, 1863; London, 1882).

7. N.T. Papers, 84/445 for report of journey to Port Essington. Compare M. Masson's "An Untamed Territory," ch. 8.



In the next two decades, however, the tropical quietness was penetrated in all directions. Flockmasters of the Eastern colonies forced development and, as early as 1842, an overland stock route from the middle district of New South Wales to Port Essington was mooted.<sup>8</sup> Leichhardt from the east and Stuart from the south forced the ramparts of the "great grey chaos" and reached the rolling downs of the Barkly tableland. The fact that there existed 220,000 square miles of first-class grazing country spread throughout the cramped settled colonies and none thought of the desert spinifex and sandhills. As in the onrush to Port Phillip a quarter of a century before, the pastoralists strove to force the hand of the Government. Levi and Watts, the Hentys of the north, penetrated to Mount Margaret (1862)<sup>9</sup> and attempted to reach the Victoria River in order that the Government might have to recognise the pastoral occupation as a *fait accompli*. On their side, the Queensland squatters were still more active and several bubble land companies were formed.<sup>10</sup> Something, therefore, had to be done to satisfy this double demand.

At first, a division of the land between Queensland and South Australia was considered, but Macdouall Stuart's traverse of the continent<sup>11</sup> from south to north gave the advantage to the latter State which obtained a provisional power over the whole of "Northern Australia." Even though this control was purely tentative, decisive steps had to be taken in throwing open the eagerly-desired territory. From this moment the difficulties commenced—problems of a tenure, a site, a survey, and of dissatisfied applicants. South Australia at once drafted a novel and comprehensive system of alienation and occupation, and it was this initial code which was largely the cause of the later troubles. Of course, the problem of dealing with this vast "Terra Incognita" where only a few overlanders had been was immense, but that affords no justification for the elaborate and impractical regulations devised by Ayer's ministry. It was a

8. "South Australian Register," 29/11/43.

9. Daly to Newcastle, 26/1/63 (S.A. Paper 127 of 1863). Despite Governor Daly's warning, they "persisted in their desire to do all that was in their power to establish a first claim to the lands." Cp. 23/12/62.

10. See pamphlet, "Proposed Settlement of Prince Albert Land" (1862). This was a scheme for 300 colonists, land at 10/- an acre, and a pre-emption over 5000 square miles for squatters.

11. "S.A. Register," 26/12/62, for the importance of Stuart. He placed the country discovered by Leichhardt (1844-6), within easy access of the northern boundary of South Australia.

code of artificial restrictions<sup>12</sup>—divisions between “preliminary land orders” and “land orders,” between town and country lots, between the Adelaide and London offices, and between the prices at different times. Apart from these intricate limits, the system itself could be questioned. The distant tropical land was to have a system of small owners who were free to select blocks of 160 acres anywhere within the lands to be surveyed. To round off this symmetrical plan, pastoral leases were to be issued at a rental which has never since been equalled.<sup>13</sup> The whole scheme was far more rigid and logical than that of the mother-colony itself and was based on the same hierarchy of large squatters and small cultivators which pertained in the south.<sup>14</sup> The fundamental weakness was in the assumption that the lessons of the spasmodic policies of the older and temperate colonies could be applied *in toto* to a new province two thousand miles away in the tropics. A solid settlement could not be built on a quicksand of false and theoretical premises and, since the stress was on the system to be desired and not on the actual conditions, the result was chaos.

The breakdown of the system was at once apparent. The practical ideas of the squatters were rejected and yet no ministry held office long enough to follow any policy.<sup>15</sup> “The Northern Territory was not forgotten, but was left unattended to.” On the spot, the administrator, Finnis, chose a swampy site at Escape Cliffs (April, 1864), “condemned by everybody.” Instead of expediting the survey, he spent time in pleading that survey before selection meant delay.<sup>16</sup> Even when he did move, he rejected the advice of the skilled surveyors and the order-holders and surveyed unsuitable tracts. The chainmen and surveyors were so much hampered that they accomplished

12. Newcastle to Daly, 21/9/62. Cp. Murdoch to Rogers, 19/8/62 (in S.A. Papers, 15, 37, 70, 113, 122 of 1863). Regulations and letters patent are in the pamphlet, “Northern Territory of South Australia” (54 pp., 1863). For an account of the new territory as then known, see J. T. Woods’ “Northern Australia” (1864).

13. The “preliminary” orders were for the first 250,000 acres at 7/6 an acre, the “land orders” for the residue unsold, and for a further 250,000 acres at 12/-. There were 1562 town lots of half an acre.

14. Accounts and Papers (British), 1864, Vol. 16. Report of C. L. and E. C., pp. 26-28, and appendix 42. Also S.A. Votes and Proc., 1863, paper 133, and 1864, paper 16. The pastoral areas were from 25 to 300 square miles, and the rentals 1/- per mile for four years, then 2/6 and 5/- for five-yearly periods.

15. 8 in three years.

16. Despite the stress on immediate survey in his instructions. See S.A. Paper 36 of 1864.

nothing.<sup>17</sup> The administrator's reports spoke of "an abundance of fine grazing country for all the cattle of South Australia" whereas, in reality, the land at his post was "nothing but sand, scrub and swamp" and no agricultural land existed within fifty miles of Escape Cliffs.<sup>18</sup> Therefore, Finniss was recalled to face an official inquiry, and his survey became merely an object of scorn. Adverse practical conditions and unsuitable administrators, a dilatory survey and a worthless site combined with an inappropriate theory to produce a Gilbertian situation. "Those first five years damned the Northern Territory."<sup>19</sup>

But still another set of difficulties emerged and led to ten years of perplexity. The legality of the South Australian regulating Act itself was questioned and the action of the courts was invoked to extend the period of selection.<sup>20</sup> Despite the rush in Adelaide, the London applications dragged, until a "North Australian Company" was floated and took nearly one-half of the allotments.<sup>21</sup> In the end, the desired amount was applied for and the Government promised to issue the fee-simple within five years. But, when the settlement was a fiasco and when Finniss was recalled (1866), the position was difficult. The holders of land-orders demanded "that either the money or the land should be given."<sup>22</sup> After years of procrastination, the Adelaide Government provided "an answer in equity" by doubling the

17. N.T. correspondence, 71/192, for report on Finniss' survey. In deterring selections within the site of this survey, the Commissioner of Crown Lands said, "there are no proper records of it," and "scarcely any traces of the survey existed, where it had been examined, on the ground." Cp. 72/320.

18. See Finniss' despatches in S.A. Paper 89 of 1865. See especially 8/10/64, Ayers to Finniss, 10/2/65; Cp. 15 of 1865-66 for protest of land-holders; 16 of 1867 (Acting Resident's despatches of 11/1/67, 20/12/66; also 17 of 1866, charge number 4. Cp. Forster's "S.A." (1866), pp. 456-9.

19. S.A. Assembly Debates, 1907, p. 676. Also Parsons' evidence before the 1895 N.T. Commission. For the findings of the inquiry, see "Register," 23/5/66. Cp. estimate in B. Threadgill's "South Australian Land Explorations," 1866-1880, p. 99 onwards. Manuscript papers in regard to Finniss are in the S.A. Archives.

20. Agent-General Walters to Commissioner of Crown Lands, 15/1/64; Walters to Under-Secretary Rogers, 23/1/64; Glyde to Walters, 16/3/64 (in S.A. Paper 89 of 1865).

21. "A Description of the Northern Territory of South Australia" (E. A. Oppen, 1864), p. 36. The Company had £200,000 capital, and its chairman was McDonnell, an ex-Governor of South Australia. The Company took 328 of 781 allotments. See Walters to Glyde, 25/4/64, 20/5/64; p. 80, et seq. of S.A. Paper 89 of 1865. Cp. 15 of 1864 for sales. Coghlan ("Labor and Industry in Australia," p. 1008) is apparently wrong in saying that "in London, even more than in Adelaide, there was great eagerness to take up lots," for Agent-General Walters reported (23/3/64), that London deposits were "far short of the expectations formed," and, even though the 125,000 acres all went, this was largely due to the Company.

22. "S.A. Register," 29/10/66.



size of holdings in return for a further period of grace (1868).<sup>23</sup> But this *bonne bouche* did not allay discontent, for, apart from the depreciated nature of the lands since 1863, where could the holders of land-scrip select? At Finniss' abandoned swamp, or Cadell's Liverpool River, or "the Elysian Plains on the Victoria," or amongst the unsubdued tribes of Arnhem Land? The disgruntled speculators accordingly went to the courts and, since the Government had clearly not fulfilled its contract, sought a return of their payments. The High Court and Privy Council confirmed the favorable judgment which they received and the Government had to pay £33,818 and costs on the test case (1873). Other claims, with interest, made the total £73,000.<sup>24</sup> More than the monetary loss, however, was involved, for, with the desertion of the Company which had saved the situation in 1864, the Government seemed to be helpless.

Yet the very emergency itself produced a change of front. Vacillation gave way to decisive action and optimism replaced despair.<sup>25</sup> An Act extended the period of grace to 1872 and Goyder, the experienced Surveyor-General of South Australia, was despatched to lay out a central depot among the sedge flats on the shores of Port Darwin and to complete a survey of 600,000 acres of the "wild jungle country." With his customary zeal, he performed the task within nine months<sup>26</sup> and, unlike Finniss' attempts, his survey remains to this day of practical utility. The first selection of Northern Territory lands took place, therefore, in September, 1870, "without dispute or dissatisfaction."<sup>27</sup>

23. S.A. Debates, Vol. 13, 1868-69, pp. 375, 787. Lords Papers, 1868-69, Vol. 52; p. 35 of Report of C. L. and E. C.

24. S.A. Paper 127 of 1868-9 for letter of "N.T. Company" demanding money. Cp. N.T. Correspondence 69/12, 13, 38; and 103 of 1866-67. A letter of 15/7/69 held that the Government's answers "are clearly mere evasions, and in no sense constitute replies to our applications." For the test case, see "Times," 14/11/73; "S.A. Register," 2/1/74; or the full printed report in N.T. Correspondence, 73/87, 73 pp. The case was Blackmore v. N.T. Company Limited, but the appellant was merely nominal, the real question being Government liability. Cp. 73/338 for the cable announcing the decision. It tersely said, "Equitable plea bad." Cp. 74/76, and p. vii. of 1895 N.T. Commission. (S.A., 19 of 1895).

25. "S.A. Register," 15/2/66, reflects this optimism. For the extension, see S.A. Debates, Vol. 16, pp. 103, 300.

26. S.A. Papers 128 of 1866-67, and 81, 83 of 1868-69 for survey. N.T. Correspondence, 68/1 (Cabinet request Goyder to go, 21/11/68). For his progress reports, see 69/9 (2/3/69); 69/22; 69/57 (27/9/69). Paper 69/998 said that the quantity which Goyder was instructed to survey was 420,000, and not 600,000 acres. Page 3 of the first progress report told of "lands varying in character from light sandy loam to rich black and chocolate colored soils." Cp. p. 19 et seq. of the final report. Also Proceedings of Royal Colonial Institute, 1882, p. 323.

27. N.T. Correspondence, 70/81, for the resident's report of 1/7/70. Cp. 70/92 for despatch of 12/9/70. The selections took place from September 5 to 10. A copy of a land grant is in 70/103.



There was "an evident desire to select lands on or near the Adelaide" and, although this land was not so well grassed as the country to the west,<sup>28</sup> it formed the centre of settlement. But selection was not confined to this tract and by 1871 the survey of the Roper lands on the opposite coast was completed.<sup>29</sup>

Therefore, with this awakened activity, the emphasis throughout the seventies came to be on colonisation schemes of large magnitude, for, after the land-order holders realised that the speculation was unfavorable, there was a dearth of population. Scheme after scheme of extensive immigration was considered. At first, private companies were thought to be the best medium and proposals came from numerous London and Sandhurst corporations. These aimed either at sugar and cotton cultivation or the introduction in thousands of small cultivators. There was a recrudescence of the company activities of the thirties<sup>30</sup> but the Government turned from private corporations to national schemes for the introduction of cheap colored labor. Two ministers, Boucaut and Blyth, secured this crystallisation of ideas, and documents<sup>31</sup> in their bold handwriting showed how they literally compelled the cabinets to face the dilemma. "The Government of South Australia ought now to take some more active steps for the Northern Territory, or else to give it up altogether." So ran a secret memorandum of Boucaut and it was perceived that the encouragement of plantations was the way out of the stultification. To do this, it was necessary to turn to the Orient.<sup>32</sup> A union of Chinese laborers and French or Dutch sugar planters was thus the aim. To reduce this aim to practice, the Government sent officials to Ceylon and to Java, to Reunion and to Madagascar to attract sugar specialists.<sup>33</sup>

28. N.T. Correspondence, 69/9, for surveyor's report.

29. For the Roper lands, see 71/71-73 for survey; 73/181 for selections; 72/370 for 72 applications for Roper lands.

30. For details, see N.T. Papers.

68/467. R. Holland, to spend £20,000.

69/16. W. J. Browne (29/5/69). One million acres for 21 years.

69/75. Blyth and Hart (24/11/69). 1-1½ million acres on condition that from 3000 to 5000 immigrants were brought in within 10 years.

71/161. "Emigrants' and Colonists' Aid Corporation" (17/7/71) (half-million acres and option over one million more).

72/256. Sandhurst "N.T. Expedition Company," for agriculture.

72/262. de Koch (27/8/72), for tropical cultivation.

31. For Boucaut's memo., see 75/292, and, for Blyth's urgent recommendations, 77/565 (7/11/77).

32. "Coolies or Chinese laborers are absolutely required for progress of N.T. settlement." See Commissioner of Crown Lands to Chief Secretary, 26/1/74 (N.T. Papers, 74/40).

33. N.T. Papers, 74/90, 75/242 (resident's report). Compare Outgoing correspondence of Department of Agriculture (S.A.), Vol. 3, p. 413 (21/8/76), for shortage.

From 1874 onwards, special agents brought in South China coolies and Manilla men in hundreds,<sup>34</sup> and the Government for long considered the idea of an adventurous Malagasy "bishop" for colonies of Mauritius laborers and Russian Mennonites.<sup>35</sup> Italians of the Calabrian vineyards and veteran Garibaldians were also considered but, towards the close of the seventies, came the project for a land and immigration policy which, had it succeeded, would have changed the whole nature of the Northern Territory's history and would have vitally affected Australia's social problems.

The negotiations were commenced in August, 1876, and the idea was for governmentally-controlled immigration of Japanese on a large scale. They were to come to the Northern Territory as free settlers and not as indentured laborers. While the coolies had been chiefly mine-workers, the Japanese were to be peasant proprietors. An ex-missionary, Wilton Hack, was appointed to negotiate directly with the Imperial Japanese Government; the South Australian Cabinet drafted a special land clause for the new settlers; regulations were translated into Japanese to be broadcast among the peasantry of Nippon, and a free passage was promised to immigrants. In the negotiations, it became clear that each of the social classes came under the scheme, for the *entrepreneurs* in particular were stressed. Hack wrote to the Minister for Foreign Affairs in Yokohama "that this proposition is not intended to bring about the emigration of a laboring class only, to be hired out to foreigners, but that those who emigrate, should settle upon land of their own selecting, and be in this matter their own masters—free to depart from Australia the moment they are disposed to do so." The fact that the South Australian Government was offering a considerable bonus for the first capitalist who produced 500 tons

34. For coolies, see N.T. Papers, 74/272, 289-90; also 74/131, 140, 141. 196 came on August 6, 1874 (the first detachment). After a temporary lull in the demand in 1877 (77/9), the trade was revived (77/581). But, by 1884, the Chinese had become so numerous that the miners commenced an agitation for a restrictive edict (84/461).

35. Outgoing Correspondence, Vol. 3, p. 465 (28/8/76). The proposal was rejected, not because it was wrong in principle, but solely because on "too large a scale." For details, see N.T. Papers, 76/474-6; 77/35 (300 Mauritius families); and especially Goyder's account of the larger scheme in 77/341. Goyder favorably regarded the scheme which wanted

60,000 acres for Mauritius sugar-growers.

100,000 acres for Indian hill tribes.

500,000 acres for Mennonites of South Russia (later to be expanded to one million acres).

Cp. S.A. Parliamentary papers, 29, 60, 160A of 1876 for Bugnion, and, for introduction of coolies, Santhals and Indian tribesmen, papers 38 and 65 of 1874; 61, 73 and 106 of 1875; 50 of 1880 and 42 of 1882.

of sugar was held up as a bait to Japanese middlemen, and this proposed exodus was placed from the first on a much higher plane than the indenture of Shanghai men. At first, Hack seems to have been successful (February, 1877) and, after interviews with the Japanese Foreign Office, such details as the actual *site* of the colony were considered. This infers that the Japanese Government had agreed to the general principle and Hack's reports show that all was going favorably until February 16, 1877. On that date, occurred events which nipped this far-reaching land and emigration scheme in the bud. Both ministerial intrigues and feudal revolts combined to produce the abrupt termination of the exchanges. Just a fortnight before Hack's appearance in Japan, the popular hero, Saigo Takamori, had called out the Satsuma swordsmen to fight against the last vestige of the abolition of feudalism. The very principles of the new rule—the "Heiji"—were at stake and, when the news of the western revolt reached the court at Kyoto in the very week of Hack's interview, "the Government was thrown into a panic." Surely, the chronological coincidence could not be clearer.

The upshot was inevitable. Novel and hazardous schemes of emigration could not be considered when a return to feudalism was imminent. Accordingly, Tshibashi of the Foreign Office intimated to Hack that, "under present circumstances," emigration from Imperial Japan would not be countenanced. Since the feudal revolt meant seven months of hard fighting before Saigo's head fell, the matter was thus shelved. But the significance of the proposals remains. The South Australian Government *did* formulate plans for a systematic colonisation by all classes of Japanese and the Japanese Government, newly awakened from medievalism, *did* consider the scheme and even went into details. No other Australian Government has ever promulgated a scheme of such magnitude and so far-reaching implications as did Blyth's Cabinet of 1876-77. There can be no doubt that the Government furthered this scheme to the utmost, for the signatures of each of the ministers remain affixed to the documents and, even when the final report of Hack was received, the last word of the Cabinet was in "regretting that your negotiations were not more successful."<sup>36</sup>

36. For the complete correspondence on this matter, see files of N.T. Papers.

76/26 (Hack to S.A. Government, 29/7/76).



This was the culminating point of the schemes to colonise the Northern Territory, but the period of such extensive schemes was already past and, from this time onwards, it was realised that the land was suitable only for "a gradual course of development." The turning point had been passed. The troubles of commencing the settlement and the feverish emigration schemes belonged alike to the past. Henceforth, development was restricted and slow, but was along the two lines of pastoral advance and plantation experiments. The groundwork for this dual evolution had been provided in 1872, when the Overland

76/357 (appointment of Hack).

Outgoing correspondence, Letter Book No. 3, 16/8/76.

76/368 (Hack's terms).

Outgoing correspondence, Vol. 3, p. 468 (6/9/76).

7/376, 392. Hack's letter of 9/9/76, re official credentials.

77/260. (Hack's report from Nagasaki, 25/3/77).

Outgoing correspondence, 20/9/76.

77/489 (Hack's letter, enclosing correspondence with Japanese Government. Enclosures:—

(a) Two letters of 16/2/77 to Minister of Foreign Affairs.

(b) Tshibashi's reply of 26/2/77.

(c) Hack's last attempt, 26/2/77.

(d) Abrupt letter from Tokio, 27/2/77.

Outgoing correspondence, Letter Book, No. 4, 1877, p. 179 (du Mole's letter to Hack, 25/10/77. Cp. p. 924).

After studying "the ability and dispositions of the Japanese," Hack, a descendant of one of Adelaide's first pioneers, was "convinced that they would make good colonists. As cultivators of the soil, they are second to none in the world, and they are a law-abiding cheerful race." Conversations were held with Goyder, the Surveyor-General of South Australia, and the Minister of Agriculture (within whose province the Northern Territory came) favored the project "in view of the probable connection of the parts of the Eastern (i.e., Asiatic) coasts with Port Darwin, by means of the proposed contract with the Netherlands-India Steam Navigation Company." A Cabinet minute of 5/8/76 approved of Hack visiting Japan, but at this stage the ideas were solely tentative, and considered Japanese as mere laborers in the same sense as Chinese coolies. But in the next two months a definite system of agricultural settlement by Japanese yeomen came to the fore. After several meetings with the responsible Minister, Hack was appointed "Agent of the South Australian Government," to negotiate directly with the Government of Japan. He was to proceed from Nagasaki to Tokio, and "lay before the authorities and the public there full particulars respecting the terms on which settlement may take place in the Territory, and the nature of the country." A special Cabinet meeting was held, since Hack was sailing the next day, and the secretary of the department wrote that "the Government has approved of your proposition" (Outgoing correspondence, Vol. 3, p. 468).

Before this, the scheme had been finalised in meetings of Hack and the Minister, and the agent was authorised to promise freedom of passage, peasant proprietorship, and freedom of movement to the settlers. Hack was given letters as the accredited and paid agent of the Government, with authority to deal officially with the matter.

Early in 1877 came the result, in a report which was handed round to each member of the S.A. Cabinet. (77/260). "At first on my presenting myself at the Foreign Office in Tokio, I was assured that no obstacle would be placed in the way of Japanese emigrating." But, when Hack desired a confirmation in writing, delay occurred, and all the time the revolt in the west was assuming more formidable proportions. "At present a revolt of the most grave character is raging in Japan, and the insurgents, headed by the former commander in chief of the Japanese army, is (sic!) making progress against the imperial troops. It is not at all unlikely, therefore, that a change of ministry may take place," wrote Hack.

On February 16, 1877, Hack made his greatest effort to overcome the changing attitude on the part of the Japanese Government. (Enclosures to 77/489). He sent "a copy of the Land Act of South Australia, with the special clause annexed, that has direct reference to the proposed occupancy of Australian lands by Japanese." He emphasised the sugar bonus of 24,000 dollars. It is clear by this time that the overtures had been favorably



Telegraph reduced the element of delay in administration and when the whole land policy was revised in order to foster herds and plantations. The price of land was lowered to the original 7/6 an acre; special surveys of 10,000 acres were legalised; the term of pastoral leases was fixed at 25 years, and small plantations were offered on easy terms.<sup>37</sup>

In the ensuing thirty years, although the Northern Territory was clearly a "white elephant," some success was achieved

received at first, for, had the Government at once rejected the proposal, they would have required no detailed information regarding climate, extent of survey, and the actual site. The mention of the special clause for Japanese planters shows to what extent the Adelaide ministers had advanced their plan, and this letter stressed, too, classes other than laborers. Had not the introduction of a Japanese capitalist class been desired, the mention of a bonus for the production of 500 tons of sugar would have had no point. Moreover, there was not to be the slightest semblance of an indenture or bond, and the South Australian Government wished "to assure the Japanese Government that every assistance and help will be given by them to such Japanese as shall choose to emigrate to the provinces under their jurisdiction." Other letters referred to the "proposed regulations written out in Japanese," and to "the Japanese translation of regulations proposed by myself, and which, with the sanction of your (i.e., S.A.) Government, I had intended to have submitted to the intending settlers." The number mentioned for the first detachment was "some three or four hundred."

But the obstacles offered by the revolution were too great. Hack's second letter of February 16 shows the change. While the morning's letter revealed a dogmatic attitude on Hack's part, and seemed to be finalising details, a note of despair permeates the afternoon's letter. But, even now, the Japanese Government objected, not to the scheme as such, but merely because it competed with schemes of their own. A letter of Tshibashi (26/2/77) said, "The subject of your letter has received due attention and consideration, and, as to the question of Japanese emigration into South Australia, it is a matter which the Japanese Government is not disposed to encourage or aid *under present circumstances*, seeing that colonisation projects of its own within its own boundaries are being carried out." Hack wished to know if the Government was adopting a merely passive attitude, neither favoring nor opposing the scheme. "Am I right in believing that should a number, say 300 or 400 Japanese, be willing to emigrate, the S.A. Government paying the passage money, your Government will place no obstacle in the way. So that whilst you neither encourage nor aid, you will not forbid?"

This was the last stage, and not all the specially drafted regulations or free passages could change the Tokio administration. On the following day (27/2/77), the negotiations were abruptly ended. "Minister for Foreign Affairs instructed me to acknowledge your letter of yesterday's date, and to say that all emigration of the Japanese, out of the Empire, will be resisted by the Government." Reporting in September of that year, Hack wrote that "the continuance of the insurrection in Japan continues and increases the complicated relationship which exists between Japanese and foreigners, and I am afraid some time must elapse before there is much hope of facilities being put into the way of would-be emigrants from Japan."

Thus, the proceedings were fairly complete. The Japanese Government of the mid-seventies received and recognised an accredited agent of one of the Australian colonies, and considered an extensive colonisation scheme. (This raises the constitutional point as to the legality of the action of Blyth's Cabinet in thus negotiating directly). The facts that the South Australian Cabinet *did* arrange for an extensive migration of Japanese of all classes to the Northern Territory, and that the newly-reformed Government of Japan *did* consider the plans, are beyond cavil.

For the Japanese revolt, see J. H. Gibbins' "The Making of Modern Japan" (1922), pp. 118-27; Brinkley's "History of the Japanese People," p. 686; McLaren's "A political history of Japan during the Meiji period," p. 105.

For some of the numerous later rumors regarding Japanese emigration to the Territory, see S.A. Debates for 23, 28/6/98.

37. N.T. Papers, 71/40, for the Surveyor-General's recommendation for such a Bill. For the "N.T. Land Bill" itself, see S.A. Debates, 1872, p. 1465, et seq. See Papers, 72/25, for the position of the order-holders.

in pastoral spheres. The squatting period had commenced early. Even while the South Australian Government was sending ships round half a continent to the marshes of Escape Cliffs, the Queensland squatters were gradually encroaching along the open grassed country of the Gulf and, a few years later, pastoral occupation was proceeding apace. This reached its height in 1877, when there was "an immense quantity of land taken up for pastoral purposes." In this year, too, cattle came directly overland from the Queensland coast and the first "favourable report" emanated from the Territory.<sup>38</sup> To foster this occupation, the rents were lowered so as to be on a parity with those of the South (1879) and, three years later, the consolidating Land Act gave compensation for improvements to the scattered lessees of the Territory.<sup>39</sup> The progress was consistent and, in the first few years of the eighties, "a decided advance in the progress and stability of pastoral enterprise" could be discerned. But, at the close of the decade, the gradual development was rudely shattered and henceforth the cattle industry declined. Complaints arose that the tenure favored absentee speculators; stocking conditions were imposed only to be evaded;<sup>40</sup> the nature of the lease militated against the erection of improvements; the vagueness of the surveys, as at the famous Corella Lagoon,<sup>41</sup> occasioned range warfare; and the code of land laws was derided as "a worthless *olla podrida*, of value only to scheming speculators."<sup>42</sup> Speculation, absenteeism, and illiberal land terms justi-

38. For the cattle development, see N.T. Papers, 70/351, for one of the first applications for a lease, after the expenditure of £20,000 in stocking. "Register," 29/11/66; S.A. Debates, 1878, p. 4; "Register," 2/1/75 (cattle-raising was "the one encouraging circumstance which relieves the prevailing gloom"). Even at this stage, some despondent notes were heard, e.g., the Government resident's report of 3/1/74 said that "The country is not good for pastoral purposes, horses do not thrive, neither do sheep," and he was dubious about cattle. But contrast the spread in the early seventies. Up till 1871, there had been few applications (see 72/132). Then came six more applications in one week and nine in the first half of 1872, by the middle of which year there were 23 applications for an area of 10,602 square miles. After that, there was the boom of the mid-seventies (3 in 1873, 3 in 1874, 46 in 1875, 49 in 1876). See N.T. Papers, 74/69A, 74/205 (rush to Coburg Peninsula), 76/80, 76/102 (hopes from Queensland squatters), and the important return in 77/160, scheduling all of the pastoral claims to the commencement of 1877. Also 77/509, 532.

39. N.T. Papers, 74/453. The resident said that regulations "of a much more liberal character" were needed. Cp. the petition in No. 69 of 1879 (S.A. Papers); also 75/422 (not a single bid for 73 leases). S.A. Debates, 1882, p. 1243; regulations in N.T. Almanack, 1886, p. 57.

40. N.T. Papers, 74/329 (telegram of 4/9/74). 108 pastoral claims had been approved in three years, but "Not one of the whole lot yet declared stocked. Therefore no leases have been issued." By the end of the year, only seven were stocked, despite the activity of the Government (74/393).

41. "S.A. Register," 3/9/88. The appellant obtained £10,300 because of misunderstanding through survey.

42. "N.T. Almanack," 1887, p. 4; "S.A. Register," 6/7/85; "Advertiser," 16/11/88.

fied the contention that the Government "had thought more of the Treasury chest than of real settlement" (1889),<sup>43</sup> for Adelaide capitalists could obtain options on huge tracts of the Territory where bona-fide settlers were squeezed out.

The administration stressed the extent and not the nature of occupation, as the "somewhat erratic" pastoral statistics proved. In 1880, 78,480 square miles were leased but, three years later, after the advent of the absentees, over 478,000 square miles were leased but not occupied. When the anticipated boom failed to develop, the area leased fell abruptly to 196,470 square miles (1890) and continuously declined. Throughout the decade in which the area leased varied to such an extent, not the slightest increase was evident in the area stocked. The pastoral law operated against legitimate expansion and yet allowed this gambling in squatting areas to flourish. Such ventures as the "North Australian Pastoral Company," one of whose stations included 35,435 square miles of the river flats of the Victoria,<sup>44</sup> were favored by the laws.

Moreover, the Government's methods offered no amelioration. In 1889-90, longer leases on lower rentals were suggested, although it was clear that the way of advance was rather in "ensuring the settlement and development of the lands that have already passed into private hands"<sup>45</sup> than in facilitating more occupation of virgin country. The compromise of 1890, extending the leases for 14 years was thus besides the point, while the Government's refusal to erect water improvements was a direct evasion of responsibility. The way out of the *impasse* seemed to lie in the erection of a sympathetic and discriminating Pastoral Board, but all reference to this was excised from the 1890 Bill. Hence, stultification was inevitable but, when joined to the other adverse circumstances of the early nineties, meant a decided retrogression.

There were all kinds of practical difficulties. The baneful redwater scourge, introduced from Batavia in 1872, "decimated the overlanding hordes and stopped all enterprise." This occurred at a time when cattle were cheap elsewhere and when, consequently, stocking of the Northern Territory became profit-

43. S.A. Debates, 1889, p. 1573; 1890, p. 2126. This fact was emphasised when the Government paid no attention to stock-wells. (80/241).

44. 1887 report of Resident (No. 53 of 1888); H. J. Scott's "S.A. in 1887," pp. 184-85 (section by Knight on large squatting holdings in the Northern Territory).

45. "S.A. Register," 5/12/90; Debates, 1890, pp. 2581-2. For regulations, see paper 68 of 1891 (S.A.).









able.<sup>46</sup> Moreover, there was no market. Quarantine closed the south; Western Australia refused to renew her agreement; the ravages of redwater ruined the eastern outlet; and the exploitation of the Javan archipelago to the north had been delayed. There was a great want of permanent water, and this was accentuated by the five years of drought (1891-96). The price of stock continually declined and the financial collapse of 1891-92 completed the ruin, causing the "abandonment of a large number of promising pastoral undertakings." Not one ray of hope could penetrate the squatting gloom of the nineties. Although the 1890 Act provided for practically a nominal rental, there was no new settlement and the revenue declined by 75 per cent. in these five parlous years.<sup>47</sup>

Remedial legislation, such as the 1896 Act appointing the Tenants' Relief Board and harmonising the South Australian and Territory laws, came too late.<sup>48</sup> Even when the internal evils were partly removed, the external trouble as to a market merely came into clearer relief. "Until the question is solved, what is to be done with the herds when they are raised, it is hopeless to look for substantial progress in stock-breeding."<sup>49</sup> Thus the century closed in the consummation of the policy of drift in pastoral matters and in a renewed onrush of speculators. Though perceiving the failure of its liberal legislation,<sup>50</sup> the Government dallied in negotiating with Manila and Batavia for a market and allowed a spirit of inertia in administration to render such safeguards as stocking regulations a dead letter.<sup>51</sup> Failure was writ large on the pastoral occupation of the far North and, at the dawn of the new century, 271,994 square miles were leased and only 28,692 stocked.<sup>52</sup> Yet, in similar

46. Commonwealth Paper 45 of 1913, p. 6.

47. 1894 report of N.T. Resident, p. 1; S.A. Paper 19 of 1895 for report of 1895 Royal Commission of the N.T., esp. pp. vi.-vii.; "Advertiser," 17/7/96, and especially Proceedings of Royal Geographical Society of Australia (S.A. branch), 1901-2, p. 11 (Parson's analysis); 1897 report of Resident (Paper 45 of 1898-99), pp. 1-2.

48. S.A. Assembly Debates, 1896, p. 133. "Advertiser," 17/7/96; 1895 report of Resident, and 1900 report (45 of 1901), p. 7. For later attempts at legislation, see Council Debates, 1897, p. 67; Assembly, 1899, p. 34. For the operation of the Tenants' Relief Board, see N.T. Papers, 1906/411, for a long file regarding the Roper land of Fisher and Culross.

49. "Advertiser," 1/8/99.

50. S.A. Debates, 1899, p. 34, for still further liberalisation of the laws. Leases for 42 years were conceded, at rentals of 6d., 1/- and 2/-, in seven-yearly periods.

51. Resident's report for 1899 (45 of 1900) for speculation, e.g., Lands Developments Syndicate Limited. See 1900 report for the wisdom of the policy. Cp. "Advertiser," 28/8/01. "There is much speculation with too little to show for it."

52. The area stocked in the years from 1894 onwards was of 31,000; 39,000; 30,000; 27,500; 28,000; 28,692 square miles. Yet the total area leased was increasing the whole of the time. Cp. S.A. Paper 45 of 1900, p. 6, for abandonments.

country and under similar conditions on the other side of the Ord River boundary, Western Australia was eminently successful in the occupation of its Kimberley lands. South Australia had thus failed in the first half of its trust; what record lay in the second sphere, that of agriculture?

Here, the tale is one of unmitigated depression. No period of quiet consolidation, as in the early eighties in the squatting world, can be presented. Failure on failure alone marked this section of the land administration of the Territory. From the first, there had been a stress on small settlers, for Stuart had declared<sup>53</sup> that the country from the Roper on the east to the Adelaide on the west was "well-adapted for the settlement of an European people." The settlements of both Bremer and Finniss had aimed at a small peasantry and, for over half a century, there were attempts—frequently bizarre and always failures—to convert this aim into practice. Yet, despite the long list of experiments, the Administrator was compelled to acknowledge in 1911 that "invariably the results had been attended with failure."<sup>54</sup> The first idea, inaugurated in 1870, was to have small rectangular blocks, but, since these inadequate selections consisted largely of rocky ridges or swampy sections and since they were laid out in defiance of varying climatic conditions,<sup>55</sup> the failure was inevitable. Again, the land was monopolised<sup>56</sup> and bona fide settlers excluded. "Out of half a million acres selected not one solitary rood is fenced or even occupied," wrote the Government Resident in 1874.<sup>57</sup>

Nevertheless, in the late seventies, the policy of small blocks was still adhered to. An 1872 Act enabled unsuccessful miners to occupy small sections<sup>58</sup> and the Resident even fought strongly for the American homestead system.<sup>59</sup> Negotiations

53. "S.A. Advertiser," 26/1/63.

54. Commonwealth Paper 45 of 1913, for 1912 report of Resident.

55. P. 6 of 1895 N.T. Commission, for the preliminary faults. The breakdown is apparent from the return in N.T. Papers, 77/574, for, from 1874 to 1877, the only lands sold were 36 town lots, 7 suburban and 3 country, totalling a little over 300 acres.

56. N.T. Papers, 72/216, for resident's report of 7/5/72. "The whole monopoly of the land is in the hands of the Land order holders, who do not appear to have sufficient enterprise to avail themselves of the advantages the country offers, whilst the existing regulations confirm such monopoly." The whole of this despatch is important.

57. N.T. Papers, 74/190 (cp. 74/346), for despatch of 16/5/74. "There is no land open for selection, and if any is applied for there is a difficulty in getting it surveyed, and after survey, there is more difficulty in getting it offered for selection or sale." He advocated residence conditions and more extensive surveys. Cp. 75/451. Previous occupation "was merely a speculation by capitalists."

58. S.A. Debates, 1879, p. 1242.

59. N.T. Papers, 74/451; 76/218; for Scott's important report of 15/9/74.

for the introduction of English tenant-farmers were many times conducted,<sup>60</sup> but gradually the Government came to realise that tropical products and capitalistic methods were the most suited to the Territory. Hereafter, the emphasis was on agricultural settlement on a larger scale, after the model of the Dutch plantations to the north. The plantation age was at hand. First mooted in the 1872 Act, this project received an impetus with the advent of the Chinese coolies in the late seventies.<sup>61</sup> A land of tropical fertility and an ample supply of cheap labor seemed to open up a vista of progress.<sup>62</sup>

The Government became so enthusiastic as to lose all sense of proportion. Pioneer sugar cultivators received a tract of 20,000 acres of picked land on easy terms and, accordingly, in 1880, the ministry was forced to limit the application of these plantation grants.<sup>63</sup> Rigid limits were imposed and cultivation provisos inserted. The zeal "to encourage tropical development" had to be tempered with moderation, although further safeguarded inducements were offered to capitalists in 1881.<sup>64</sup> At this juncture, some prosperity was evident and, in particular, the sugar plantation at Delissaville was flourishing. But the boom was ephemeral. From 1881 onwards, the Government efforts, such as obtaining Indian labor, could not cope with the decline induced by the waste of capital, the inclement seasons, and the ravages of the white ant. In the mid-eighties, therefore, Owston's pioneer plantation on the Daly River was deserted and Poett's cinchona fields—"the best planting venture in the Territory"—were reverting to the original jungle. The "barrenness of results" reached its nadir in 1884 when the one genuine plantation, that of De Lissa, produced only seven tons of sugar per year in return for an expenditure of £20,000.<sup>65</sup>

60. "S.A. Register," 6/10/79, for 500 English settlers. Debates, 1879, p. 6, for Italians. W. J. Browne to Blyth, 5/5/79, and reply of 6/9/79.

61. "S.A. Register," 11/7/78. "Our humdrum existence has at length been stirred up by the invasion of the Chinese."

62. Although the Resident wrote at this time (N.T. Papers, 75/136), "the future of the Northern Territory is more puzzling than ever." For the possibilities of development, see N.T. Papers, 75/593; 76/453; 77/5; 83/131; 84/650 (recommendations for tropical products). Also 76/51, 75/209 and 80/661 (coconuts); 76/280 (sugar); 77/52 (tobacco).

63. "N.T. Sugar Cultivation Bill." See "S.A. Register," 4/10/80. Much feeling was aroused by the grant to Spencer and Owston. See N.T. Papers, 74/469 and 76/181-2, for attitude to bona fide sugar planters.

64. S.A. Debates, 1881, p. 1057. "Register," 19/10/81, said that the concessions were unnecessary, and led to monopoly. Contrast

(a) N.T. Papers, 6/11/75, and 27/12/75, for previous restrictions, and

(b) "Register," 26/10/81, for the removal of needless barriers.

65. For the history of Delissaville, see N.T. Papers, 84/918-20, and 84/1011. Also Journal of Royal Colonial Institute, Vol. 13, 1882, p. 310 (article by Harry); Government Resident's report for 1884; S.A. "Register," 18/7/83, and 28/8/84; "N.T. Times Almanack," 1886, p. 4; 1887 report of Resident (S.A. Paper 53 of 1888), p. 9.



The decade of capitalist cultivation had thus been as fruitless as the preceding ten years of peasant proprietors. Cultivation, whether tropical or cereal, seemed hopeless.

Hence, in 1889, the Government strove to foster agricultural development by a system of "fancy tenures" or, in other words, by throwing out "nets to catch all kinds of settlers." Though unsuccessful in that year, the Act was passed in 1890 and provided for selection before survey all over the Territory, for small free blocks as well as for plantations on easier terms, and for both terminable and perpetual leases of various kinds.<sup>66</sup> Variety of tenures was the keynote; a struggle for existence to eliminate the weaker of the experiments thus instituted was the method; and the survival of the tenure best fitted to the tropical environment was the end. But the very diffuse nature of this experiment—in itself a confession of failure—rendered a breakdown inevitable and a policy of drift set in.

To alleviate this *débacle*, the 1895 Commission did little beyond pointing to the "want of confidence in the industry on the part of the capitalists" and to "the absence of a bold and vigorous Government policy."<sup>67</sup> Each successive report showed the same drab tale of failure and, at the close of the century, South Australia, disgusted at the failure of both its agricultural and pastoral policies, wanted to get rid of the Territory, whose land affairs "seemed always to have been either in oblivion or a state of crisis."<sup>68</sup> Hence came the next period—that of a drift in land policy, aggravated by the protracted negotiations with the Commonwealth Government.

The passage of the Transcontinental Railway Act (1902)<sup>69</sup>

66. "S.A. Register," 27/9/89 (denouncing the experimental nature of the measure) and 6/7/85 (an "elaborate paraphernalia"); also 5/12/90 (aims of Act), and "Advertiser," 26/10/93; S.A. Debates, 1889, p. 980 et seq. and 1890, p. 2126 et seq.; Resident's reports for 1894 (paper 24 of 1895), p. 7, and 1896 (paper 45 of 1897), p. 8. "Register," 19/12/99; regulations are in N.T. Papers, 91/131 and 133 (with the remarks of the Cabinet). For extension to the Roper, see N.T. Outgoing Correspondence, 1892, p. 313.

67. S.A. Paper 98 of 1895, p. vi., et seq.

68. Parsons in moving transfer to Commonwealth, 21/8/01. See S.A. Debates, Council, 1901, p. 66. "S.A. Register," 22/8/01.

69. As far back as 1878, there had been a demand for railways as a background for land settlement (S.A. Debates, 1878, p. 3). For a history of the numerous land-grant railway schemes, see either Assembly Debates, 1901, p. 715, or Council, 1907, p. 417. Such proposals dated back to the sixties, despite the imperfections of the system. Cp. "Advertiser," 24/7/95, "the choice is between a land grant railway and no railway at all." Such a scheme was unanimously recommended by Newland's 1886 Commission, and by the 1895 N.T. Commission. It was embodied in the 1902 Act (see American "Review of Reviews," April, 1903, article by Attorney-General Gordon). But the Act was not availed of, on the ground that "it only gave a chance to company-mongers to exploit the people."

naturally enhanced land values in certain localities and, to prevent abuse, the liberal pastoral leases were replaced by annual permits, resumable without compensation. But the point was that these permits were continued<sup>70</sup> even after the project for a land-grant railway became a dead letter. It was this insecure tenure which ruined the squatters. Although a market now existed and although there were increased prices for stock, no new lands were stocked. One last reform was advocated by the vigorous resident, Herbert, who attempted to establish a "closer pastoral settlement" of grazing farmers. But once more the inertia of officialdom triumphed.<sup>71</sup>

Hence, when South Australia lost the colony in 1908, the position was deplorable. Only three small farms existed; "there were no roads at all"; the bulk of the good land had been locked up by long leases; and yet little had been done regarding stock routes,<sup>72</sup> water conservation, boring and transport to Darwin. Seventy million acres of the most accessible and most fertile lands had been securely locked up and, though "comprising the picked lands of the colony," did not contain a white population of one to the thousand square miles.<sup>73</sup> Yet, in 1901, the South Australian Government, to obviate the "element of insecurity" existing in the leases, had safeguarded the holders against any resumption except for purposes of public utility and cultivation.<sup>74</sup> A skilled investi-

70. N.T. Outgoing Despatches, 1903, p. 354; S.A. Debates, Assembly, 1909, p. 79; Resident's report for 1906, p. 9; Commonwealth paper 13 of 1914, p. 97.

71. Herbert's first report of 1905 (paper 45 of 1906). He wanted to spend £25,000 in bringing 100 families on 160-acre blocks. For mixed farming, see 45 of 1907, pp. 1-2, and, for the working of the experiment, 45 of 1908, pp. 9-10. See also the long file defining mixed farming permits (N.T. Papers, 1908/19—Holland's case—and N.T. Outgoing despatches, 1907/1957). For the revival of schemes for small settlement, see N.T. Papers, 1909/417 (a most important file regarding the reservation of the Roper for small holdings), and especially Herbert's letter of 2/10/09 (1909/1787). Compare the numerous applications in 1910 (N.T. Papers, 1910/656, 676, 687, 691, etc.), and correspondence regarding selection on the Barkly tableland.

72. For the vital matter of stock routes, see N.T. Papers, 97/100 (complaints of neglect between Oodnadatta and Alice Springs); 1906/571 (complaints re overland line); 1908/184, 244; 1908/538 (a very long report on the Victoria River-Teatree Well stock route by Chewing, 3/11/08). This latter was vitally important, because part of it passed through "the Darling Downs of the country." See "S.A. Register," 4/5/08.

73. N.T. Papers, 1907/580, for very valuable return of runs stocked. Cp. Commonwealth Paper 45 of 1913, p. 1; article by Watson in "Lone Hand Magazine," October, 1907, on "Our empty North"; Pamphlet, "N.T. of Australia; Report on Operations since transfer to Commonwealth," 1913, pp. 7-9.

74. Melbourne "Age," 1/11/07. "With unspeakable folly South Australia has leased for 42 years to a handful of cattle kings some 90,000 square miles, or about 60 million acres of the richest and most fertile pastoral and agricultural country in the Territory." Cp. S.A. Debates, Council, 1901, pp. 202-3; Assembly, 1901, p. 1181.

gator, Campbell, of New South Wales, found in 1911 that hundreds of thousands of acres suitable for agriculture or stock-raising within easy communication from Darwin were "simply waste at the present time—little or no stock, and no cultivation to be seen."<sup>75</sup> "It was self-evident to all that the colonisation of the Northern Territory had not been made a success by South Australia."<sup>76</sup> With no agriculture, with no increase of the area stocked since 1903, and with an ever-increasing debt of 3½ million pounds, the Northern Territory and its jumble of land laws—futile as they were illogical, aiding speculators as they hampered settlers—were handed over to an unwilling Commonwealth.<sup>77</sup> The old Alexandra Land of forty years before, the desired land of the squatters of the Gregory and the administrators of the south, was now described as a field for monopolists and a ruin for small capitalists. Moreover, the evil was accentuated because the relics of bad land legislation of the past prevented a *tabula rasa* and militated against the success of new ordinances.

The immediate needs were for uniformity in legislation, classification in practice, and resumption of the unoccupied principalities in order to provide scope for experiments. Resident squatters were bitterly demanding a better tenure than the hampering annual permits, while the absentees who possessed long leases were fighting to hamper the new *régime*.<sup>78</sup> Not till 1912 was the Government successful in promulgating a land ordinance for its "big experiment."<sup>79</sup> The policy then enunciated was one of security for pastoral lessees with safeguards regarding resumption. Small farmers were to be aided by a "shepherding" control. To provide for classification according to varying natural conditions and according to the different classes of settlers, there were three classes of pastoral

75. Commonwealth Paper 39 of 1911. (Campbell's report on agriculture in the N.T.), p. 14. Cp. S.A. paper 65 of 1896 for Brackenbury's report on agricultural lands.

76. S.A. Assembly Debates, 1907, p. 613. (Commissioner of Crown Lands O'Loughlin). Cp. Council, 1907, p. 481. Downer characterised South Australia's action as "grasping ambition which o'erleapt itself." Cp. "Register," 4/2/10. "Everything in the N.T. is at a very low ebb."

77. For the part which land backwardness played in the transfer, see Commonwealth Papers, 42 and 92 of 1906.

78. Commonwealth Paper 66 of 1911. Resident's report, 1910, pp. 3, 5. Also for 1914, p. 97.

79. "Nineteenth Century," August, 1913 (article by Frodsham). Adelaide "Advertiser," 15/6/10 (describing the Territory as "a menace to the whole continent").



land and two of agricultural. The long-desired Classification Board was instituted to provide for the elasticity of rentals, for this was indispensable in such a large and varying territory. The aim throughout was not, as in the past, "to create facile and speedy means to enable applicants to secure Crown leases, but chiefly to provide that no lands be disposed of, *except for the purposes of securing actual bona fide settlement.*" To secure this, perpetual leases replaced freehold for agricultural lands; and pastoral leases for 21 or 42 years were granted, with powers of resumption retained by the State. To prevent the accumulation of leases, rigid improvement clauses were inserted everywhere.<sup>80</sup>

But the results of this ordinance were "disappointingly slow." Although the first 5000 applicants for agricultural land were to be conceded free rental for life, there was little progress. Monetary aid was given by advances to settlers but, of £7255 advanced, only £498 was repaid (1918) and the unpaid loans did not even have the merit of bringing about effective results. The settlers merely deserted and left the improvements, while the white ants did the rest. Two experimental stations were established at Batchellor and the Daly to aid the settlers but they failed and, in return for an expenditure of nearly £50,000 (1918), they had produced a revenue of £1200. Over 300 persons applied for the 26 farms opened on the Daly but, of the 18 who elected to try the hardships, only 10 survived by 1915.<sup>81</sup> Since this merely buttressed South Australia's long list of failures, the Government abandoned agriculture and realised that "the development of the Territory is likely to be on pastoral and mineral lines."<sup>82</sup> Demonstration farms and planta-

80. Ordinance relating to Crown Lands (No. 8 of 1912), in Commonwealth Paper 53 of 1912. Pastoral leases were from 300 to 1500 square miles. There were two kinds of cultivation leases:—

(a) agricultural farms . . . . . 1280 and 2560 acres.  
(b) mixed farms . . . . . 12800 and 38400 acres.

81. Commonwealth Paper 54 of 1912 (Acting Administrator's report of 1911, pp. 3-4); 1913 report (13 of 1914), p. 5; Glynn's outline of policy (30 of 1914), p. 12; reports of 1915-17 (paper 31 of 1917-8), pp. 10-11.

82. "No attempt is now made to force agricultural settlement" (paper 21 of 1917, second session)—Glynn's second policy pronouncement, pp. 9-10. Cp. the 1920 report of the Acting Administrator, p. 14. "The natural conditions in the Northern Territory are not suitable for extensive agricultural development." Unless irrigation is provided, there can be little agriculture where the heavy rainfall occurs in three months of the year, and when the other nine months are practically rainless. By 1920, only five or six agriculturists remained, and these were turning away from farming proper to pig-breeding. Two years later (1922 report, p. 27), the administrator admitted that "the position of those settlers still remaining at the Daly River appears to be hopeless." The latest report as to the advances to settlers indicated that the Government was still owed £2375, while £5319 had been written off as totally unrecoverable. (30/6/22).



tion enactments cannot overcome the dearth of labor or the ravages of the ant, and rice and amercane, sisal hemp and other tropical products remain advocated only on paper. The agricultural side of the 1912 Ordinance has thus proved a delusion and accordingly the proposed new Ordinance (1923) considers the pastoral development of the Territory alone.

But, even in this sphere of operations, no progress was made until the erection of freezing works at Darwin and until the war of 1914 gave an artificial enhancement to the price of stock. In 1913, over five million acres of pastoral land were forfeited for non-payment of rent; but forfeitures have not been enforced since then, for the execution of the letter of the law would have meant an empty country. The cattleman's practical difficulties were enormous. Owing to the vast decrease in Australia's stock since 1911 and to the cost of transporting cattle from the south (£8 per head), no new land could be stocked.<sup>83</sup> Another grievance lay in the element of uncertainty attaching to the resumption clauses, but this was removed by a supplementary ordinance of 1918 which prevented resumptions for certain periods, except for directly public purposes. Henceforth, the land for five miles around the squatter's home station was forever safe, and all of his land for ten or fourteen years, according to the nature of his lease.

Still a further source of dissatisfaction was provided by the operation of the Classification Board. This Board did not achieve the desired ends, for its classification was uneven and it proved to be an irresponsible body in practice. No power of appeal against its findings existed and the magnitude of its power left the Resident practically powerless in the determination of land conditions. The sympathetic administration which was expected to follow from the appointment of the Board did not eventuate and the proposed ordinance of 1923, therefore, transfers this regulating power from the Board to the Minister.

Moreover, the administration of the ordinance broke down in other directions. The aim of "one man, one lease," was circumvented in practice; less than one-twelfth of the South Australian lessees have come under its provisions; and the powers of resumption proved inadequate. The consequence is that ten

83. 1913 report, p. 97; 1914-5 report (paper 240 of 1914-5), p. 8; Glynn's second memorandum (15/8/17), p. 8.

holders, chiefly companies, have an average of more than  $3\frac{1}{2}$  million acres each locked up for from 12 to 40 years. Therefore, the new ordinance provides for a more effective power of resumption. This, and the Government's power of reclassification after a certain term, provide the safeguards which, up to the present, have proved insufficient.

Some advance, however, has been noticeable. The liberal legislation, coupled with reductions of rental in proportion to water improvements, led to an increase in the number and size of pastoral holdings. The 104,370,160 acres of 1914 have now become 136,464,960 acres (1922) and the land revenue has increased by 50 per cent. within five years (1914-18). The pastoralists approve of the policy of low rentals as a *quid pro quo* for compulsory improvements. The present stress, therefore, is on solid and gradual advance rather than on booming experiments.

It is now realised that here, as in other parts of Australia, the trouble lies in the practical conditions rather than with legislation. This is particularly the case in regard to the pastoral industry which for years must be the staple of the Territory.<sup>84</sup> It is a cattle country,<sup>85</sup> for sheep raising has con-

84. The following table, compiled from official lists, renders clear the nature of the pastoral situation in the Territory. The holdings over a million acres include:—

	No. of Leases.	Acres.	Term to Run.	Rental per sq. mile.
Bovril Australian Co. . . . .	11	7,557,120	20-40	1/-6/
Forrest and Collins . . . . .	5	6,798,080	19	7d.—3/6
N. A. and H. V. Miller. . . . .	3	4,602,880	21-40	6d.—2/6
Wave Hill Pastoral Co. . . . .	10	4,106,880	19-21	1/-4/
Crown Pastoral Co. . . . .	19	3,699,200	12-38	1/1-6/
Queensland National Pastoral Co.	6	2,833,920	20-37	1/-3/
J. A. Breadan . . . . .	8	2,618,240	12-14	1/
Hodgson Downs . . . . .	1	1,392,640	13	1/6
Peel River Land and Mineral Co. .	7	1,344,000	19-20	1/6-3/6
Rocklands Station Pty. Ltd. . . .	1	11,182,360	20	1/6

The ten holdings total 36,136,320 acres. For the whole Territory, there are 470 holdings, aggregating 183,728 $\frac{1}{2}$  square miles (117,586,080 acres), and averaging 391 square miles (250,240 acres). The total revenue amounts to £18,564/7/8, and the average rental is 2/- a square mile, or less than one-twenty-fifth of a penny per acre. The leases are distributed thus:—

Under the 1890 Act (S.A.) . . .	122	38,392 square miles
Under the 1899 Act (S.A.) . . .	89	58,082 $\frac{1}{2}$ square miles
Under the Ordinance (1912) . .	259	87,254 square miles

Note that, although there are more leases under the ordinance than under South Australian statutes, the area under the latter is still much greater.

See the Annual Report for 1920 for the position of the cattlemen. "The great pastoral region of the Northern Territory is at present little known and inaccessible, and has hardly advanced beyond the initial stages of development. It carries at the present time 612,000 head of great cattle, or little more than one head to the square mile." (p. 5). The great need is for water. The Director of Lands recently reported that "generally throughout the Territory it has been proved that unlimited sub-artesian supplies can be got at depths at from about 100 to 350 feet." But the heavy transport charges, and the difficulty of obtaining suitable labor militate against boring, and this accounts for the rush for poor grazing country

tributed another of the Territory's dismal failures, only 6000 head existing. But the potentialities regarding horned cattle are limitless.<sup>86</sup> Nearly 700,000 cattle are scattered from Anacoora to Melville Island and, along the five stock routes,<sup>87</sup> overlanders find easy egress to the Queensland basin. Well-watered and thickly grassed runs conduce to prosperity, and even the wild buffalo provide the nucleus of an industry. But here again sympathetic administration is a *sine qua non* of expansion. The land laws are equitable but inadequate. More artesian bores, more and better stock routes, more railways (especially the thousand miles from Katherine River to Oodnadatta),<sup>88</sup> more shipping facilities, more freezing works, and more stock inspection are indispensable. A perfectly symmetrical land ordinance is merely a background. That theory must be converted into practice before it justifies itself. Hence, since the ordinances regulate but do not foster settlement, the means adopted must be a forward policy by the administrative officials. By this agency, the Territory will be stocked to its ordinary carrying capacity—at least five times in excess of the

which has surface water. To the middle of 1921, there were 159 bores, 51 belonging to the Government. For practical recommendations in regard to water supplies, see J. J. Waldron's "Central Australia," Part II.

The following table of stock shows the fluctuation of bona fide settlement, and the figures for recent years show how the Territory is unaffected by droughts (because of the north-west monsoonal winds):—

	Cattle.	Horses.	Sheep.
1884 . . . . .	96,000	4,407	26,000
1888 (boom) . . . . .	218,874	8,598	107,078
1901 . . . . .	185,000	7,500	—
1904 . . . . .	247,920	16,670	54,678
1907 . . . . .	374,683	17,893	44,232
1910 . . . . .	513,383	24,509	57,240
1911 (ordinance). . . . .	405,552	18,382	75,808
1914 . . . . .	414,558	21,985	70,200
1917 . . . . .	541,545	26,231	54,709
1920 . . . . .	659,840	37,837	6,062
1921 . . . . .	568,031	39,565	6,349

85. Commonwealth Year Book, 1920, p. 283. N.T. Report for 1917-8, pp. 7-8, 29. For account of large station, see Governor's report in Commonwealth paper 37 of 1905 (Victoria Downs station of nearly 5½ million acres).

86. Regarding sheep, a whole series of experiments has failed. See Lowden's "N.T. as it is" (1882), p. 152. The sheep are thin, scant-woolled and scraggy. The trouble is that there is no large natural increase. The only large private enterprise, therefore, disposed of its flock. The Government experimented with a flock of merinos at Mataranka station, but, owing to the pests and to the unsatisfactory lambing, sold them to a private purchaser.

87. The Government is extending the stock routes, especially one from east to west. See fig. 69.

88. For the railway, see Barr-Smith's pamphlet. The Commonwealth undertook to complete the overland line when they took over the Territory. See S.A. papers 60 of 1906 (Price to Deakin, 3/2/06); 19 of 1906 (Deakin to Price, 30/8/06, 19/10/06, 29/11/06). But although this is necessary for the expansion of pastoral occupation, it has not been done.

number of stock to-day. Herein lies "a certain and safe avenue of development" which opens up visions of substantial progress as opposed to the chimerical projects of the past.<sup>89</sup>

89. Cp. the recommendations of the 1895 Commission. It is a luminous commentary on the nature of the interim period that the needs then were identical with those of to-day. S.A. paper 19 of 1895, p. vii.



## CHAPTER 31.—TRENDS.

### I.—*Railways.*

At various stages in their history the Australian States have attempted land-grant railways, that is, the construction of railways by private companies who received in return grants of adjacent lands. Queensland was the pioneer in this regard,<sup>1</sup> her Western Railway Act of 1875 and the railway reserves of 1879 providing that the land on either side of projected railways should be sold and the proceeds used for the railway. From this, it was a small step to granting the land before the railway was built. Despite the opposition, such as the defeat of McIlwraith (1883) on the matter of Feilding's Transcontinental Railway, and the organised obstruction of 1908, several such "syndicate" railways were built, even as late as 1906.<sup>2</sup>

But it was in Western Australia that "land-grant railways" reached their consummation and that their effects were clearly observed. As early as 1873, a Select Committee had recommended land-grants for public works and, eight years later, the Imperial Government sanctioned the principle for the construction of a railway from Albany to the Eastern Districts.<sup>3</sup> Since the only alternative was "a relapse into a state of stagnation"—for the State could not afford to buy railways—the contract was signed in 1884, land being ceded at the rate of 12,000 acres per mile or nearly three million acres in all.<sup>4</sup>

As this progressed satisfactorily and as the Colonial Office held with Broome that such alienation was "a transfer of agency rather than an alienation from purposes of settlement,"<sup>5</sup>

1. Tasmania had a project in 1865 for a Western Railway on land-grant terms, but it came to nothing.

2. E.g., Etheridge Railway Act.

3. W.A. Votes and Proc., 1881, p. 21; Debates of Council, Vol. 6, 1882, pp. 4, 495.

4. For negotiations, see papers 24 of 1881 (Surveyor-General's suggestion); 1 of 1882 (Joubert); A8 of 1882 (Coote), and, for Hordern's scheme, 3 of 1883 (First Session), and A3, 22 of Second Session. Cp. "Inquirer," 11/8/86, 5/6/89.

5. Quest. 579 before 1890 Committee of Commons on W.A. Constitution Bill. Cp. 1764-6, 2314-5.

another contract was made in 1886, by which the famous Midland Railway Company was to receive from three to four million acres for building the Guildford-Greenough line.<sup>6</sup> In short, land-grant railways were "the principal and most striking feature" of Western Australia's policy at this period.

But trouble soon emerged. The Western Australian Land Company—the first project—could not dispose of its lands and failed in its immigration schemes, so that the Government was forced to purchase its Great Southern Railway<sup>7</sup> and the remaining  $2\frac{3}{4}$  million acres of land. The other company led to still more trouble for, owing to its financial difficulties, Forrest had obtained a first charge over 2,400,000 acres of its land in 1893.<sup>8</sup> Yet it kept on alienating large areas of land<sup>9</sup> on the Upper Irwin and Victoria Rivers, thus nullifying the Government's policy of insisting on improvement as a qualification for ownership. Despite the "strong condemnation" of a select committee and despite motion after motion of the Assembly, this anomalous position remained<sup>10</sup> and the railway is still in the hands of the company.

These experiments clearly proved that land-grant railways were inexpedient<sup>11</sup> and, though often proposed, as in the case of the line to the Northern Territory in 1902, nothing was done.

Since then, however, especially in the "optimistic period" from 1903 to 1910, a policy of "railways of betterment" has prevailed. This means that the Government receives the increased value of property due to railways and thus makes the lines pay for themselves. Victoria's mallee railways,<sup>12</sup> the South Australian lines radiating from Tailem Bend to the

6. W.A. Votes and Proc., 1889, Third Session, Broome, 4/11/89, on Forrest's report. Cp. 1891, p. 3, and Debates, 1888, Vol. 14, p. 488.

7. Quest. 620 before 1890 Committee on Constitution Bill. See W.A. Debates, 1896, Vol. 9, p. 953. The Company had found only 227 purchasers for its land, yet the Government sold 132,000 acres within a year. See 1897 report on Crown Lands, p. 8.

8. Papers 10 and A10 of 1892-3, A29 of 1901-2, pp. 4-5; "Inquirer," 10/11/93.

9. In blocks of 5, 6, 8, and 15,000 acres.

10. Pp. vii.-viii. of Joint Select Committee of 1899; London "Daily Chronicle," 1/8/91; "Inquirer," 3/3/93; Debates, Vol. 14, 1897, p. 315; Vol. 17, 1900, p. 447; Vol. 23, 1903, p. 1582; Vol. 27, 1905, pp. 588, 744. For later history, see London "Times," 12/5/16, 1/2/17; "W. Australian," 21/3/17.

11. "Victorian Review," 1883, pp. 460-472 (Wisher).

12. Victorian Debates, Vol. 125, 1911, p. 1167; Vol. 133, 1913-4, p. 3; Vol. 167, 1917, p. 1082.

newer agricultural districts<sup>13</sup> and Western Australia's light "agricultural railways" come within this category.

It has been perceived, in short, that communications are of more importance in the new *régime* than land laws. "It is not so much a 15 inch rainfall and good land which are the essentials required to extend our cultivated area as it is the provision of cheap railway transport." It was for this reason that South Australia's West Coast was backward until the railway policy of 1903 and that Tasmania and Western New South Wales are not progressing to-day. The extension of the "dry" wheat belt in the Murray-Darling basin depends directly on a vigorous railway policy and accordingly "Developmental Roads Act" and new railway bills have been frequently passed in the last decade.<sup>14</sup> Settlement, always linked up with communications in the outlying regions, is now solely dependent on them.

## II.—*Rural Credit.*

A kindred difficulty was that of finance. Ordinary banks cannot tie up their capital on long term loans and cannot lend money to selectors who have no complete title to their lands. The settler cannot thus obtain the money when he most needs it,—in the early stages. Since the mid-nineties, therefore, the various Governments have devised means of advancing money to settlers, although the whole of them "are the result of haphazard, without any clear design either in purpose or effect."<sup>15</sup> The need was for long-term loans on trust associated with the principle of amortisation, as well as for temporary financial relief for the farmer.

Western Australia first attempted to convert these aims into practice by setting up an "Agricultural Bank" in 1894. The Government, wishing "to encourage persons to improve their holdings," arranged for loans of half the projected improvements (not more than £400 in all),<sup>16</sup> basing its determination on the character and prospects of the applicant.

13. See Figure 58. Cp. S.A. Debates, 1909, p. 3; papers 31, 31A, 27, 30 of 1909; 1911-12 Debates, p. 2, 1912, pp. 3, 111; papers 20, 33, 73, 25 of 1911-12 for reports. The idea was that the farmer was to be a "grower, and not a carter of wheat."

14. Victorian Debates, Vol. 147, 1917, p. 2088.

15. Third Interim Report of N.S.W. Committee on Agricultural Industry, 18/11/20, pp. iii.-iv.

16. Cp. proposal for advances in 1892. W.A. Debates, Vol. 6, 1894, pp. 480-9; Vol. 17, p. 1124. "W. Australian," 16/5/82.



Though severely criticised on the ground that "it was like applying a steam roller to crush a walnut," the scheme worked well in practice, especially when it was liberalised in 1896.<sup>17</sup> The result was that a select committee of 1902 had "nothing but congratulation to offer upon the success of the Bank."

Queensland was the next State to have an Agricultural Bank (1902). Based entirely on the Western Australian Act, it was like its predecessor "not a system of advancing money on what you have, but a system of advancing money on what you are going to do."<sup>18</sup> The Bank here survived until 1916, when it was merged into the Government Savings Bank. Tasmania, too, established an Agricultural Bank in 1907,<sup>19</sup> while, in the other States, there are provisions to the same effect either under Advances to Settlers Acts or Savings Banks Acts.<sup>20</sup> Throughout the Commonwealth, however, there has been a tendency to amalgamate this rural finance with the ordinary Savings Banks managed by the Governments.<sup>21</sup>

Advances were considerably increased during the war years because the insurance offices refused to lend money on land and because few of the farmers made profits between 1914 and 1920. In consequence, the whole question of rural credits came to the fore and it was more evident than ever that the existing system was anomalous and unsatisfactory. This was revealed by the list of operations to the middle of 1921.<sup>22</sup>

	1911	1921	Increase
New South Wales..	£1,617,192	£6,230,107	285 per cent.
Victoria .. . . .	2,797,323,	4,945,337	76 per cent.
Queensland .. . . .	306,944		

17. W.A. Debates, Vol. 9, 1896, p. 121. Extended to three-quarters of the improvements, and a maximum of £600. See 1897 report on Agricultural Bank, p. 2. Also paper A33 of 1901-2. For general account, see G. Taylor's "The Agricultural Bank and Industries Assistance Board" (1921), p. 21, et seq.

18. Brisbane "Courier," 6/12/00; Queensland Debates, Vol. 88, 1901, p. 2300.

19. First report of Tasmanian Agricultural Bank, paper 27 of 1909. Cp. 63 of 1921.

20. N.S.W. (1899) and S.A. (1908) had the former, Victoria (1890) the latter. See N.S.W. Debates, Vol. 97, 1899, pp. 395, 412; Vol. 9, 1902, p. 5153; joined the Government Savings Bank, 1906. For S.A., see Assembly Debates, 1908, p. 722; "Advertiser," 5/11/08 (modelled on W.A. and Queensland); Debates, 1909, p. 956 (extended to £600); extended further in 1911, 1912, and 1915.

21. That this was inadequate was seen by the pronounced movement in 1904 for a bank on the model of that of the Egyptian "Fellaheen."

22. Commonwealth Year Books, 1912, 1922, p. 294; Herrick's "Rural Credit," p. 193, for comparison with other countries.



	1911	1921	Increase
South Australia ..	1,786,762	3,453,673	93 per cent.
Western Australia..	1,540,241		
Tasmania . . . . .	14,610	140,907	864 per cent.

The amount in each State was clearly inadequate, the difficulties being proved by the very fact that the farmers had to go elsewhere for money. In Tasmania and Western Australia, too, where the facilities were easier, there was trouble regarding repayment. The lack of system everywhere was a hindrance, as a New South Wales committee clearly proved in 1920.<sup>23</sup>

Australia, essentially a country of primary producers, lacks the Local Credit Associations of the European countries. Local groups which can be certain about the character of an applicant are, as in Europe, absolutely essential, for a Central Board, however efficient, has no grip of the situation, where everything depends on the personality of the borrower. On the other hand, if the surety has to be concrete,<sup>24</sup> the scheme does not reach the proper persons. That such a system founded on personal faith can be used in new countries is evident from the remarkable advance of the Rural Credit Societies in Canada since 1918<sup>25</sup> and there is no reason why it should not be equally applicable in Australia which is notoriously backward in co-operation schemes of this kind. The Credit Foncier system, lending money on a first mortgage, does not go far enough and, until an effective system of rural credit is devised, land settlement cannot progress as easily and as rapidly as possible.

### III.—*Land Taxation.*

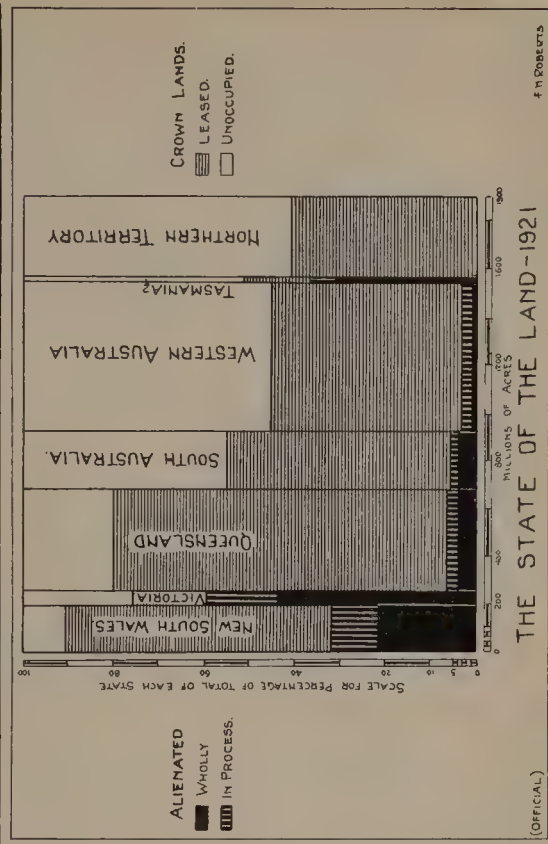
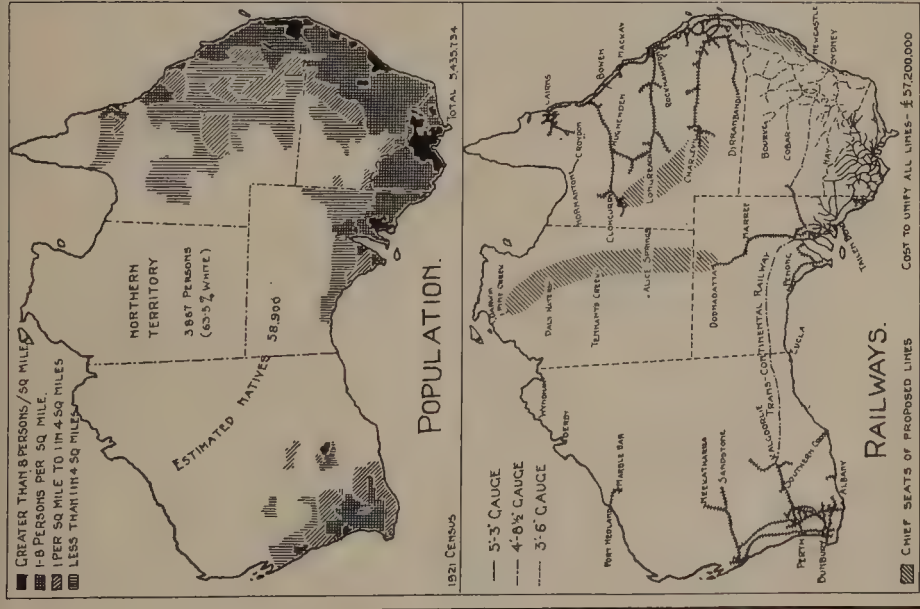
Land taxation has been employed in Australia both as a means of raising revenue and breaking up large estates. South Australia imposed the first tax<sup>26</sup> on unimproved values as early as 1884, while later Acts increased the rates for large

23. Third interim report of N.S.W. Committee on Agricultural Industry, 1920, pp. iii.-viii.

24. It is usually a promissory note on demand, sometimes a lien on crop.

25. Morman's "Rural Credit Principles" (1915), p. 245; cp. p. 8 of report above, and especially the raw material in U.S.A. Senate Document, 214, 63rd Congress, First Session, 1913-4.

26. But it had been mooted in Victoria in 1863. Victorian Debates, 1863-4, p. 220. It was, moreover, a part of the land policy throughout the sixties—light terms for settlement, a land tax for revenue. Cp. Bill of 1877 ("Age Annual," p. 80), "to reduce the inequality of taxation and to destroy large estates."



# THE PRESENT SITUATION IN AUSTRALIA.



estates and for absentees.<sup>27</sup> Similar Acts were soon passed in New South Wales (1895) after two failures, in Victoria (1895) and in Tasmania (1889) but Western Australia and Queensland, usually the leaders of experimental legislation, lagged.

The need was obvious in both States, for in Western Australia seven absentees owned 371,000 acres of the limited supply of agricultural land while Queensland's greatest difficulty was to open the central estates. But not until the proposal was thrice rejected and until there had been an appeal to the country was the Act passed in Western Australia (1907);<sup>28</sup> and in Queensland the fight was still more protracted. There, alienation was preferred by many as a means of revenue and the opposition quoted John Stuart Mill to show that, as a tax, the measure was partial and "a mild form of robbery." After a failure in 1905, the matter was dropped<sup>29</sup> until the Theodore (Labor) administration passed a graduated tax in 1915.<sup>30</sup>

By this time, the Commonwealth had entered the arena and the stress was no longer on a flat rate but on progressive land taxation,<sup>31</sup> increasing with the area held. Such a measure had been four times rejected in South Australia and once in Victoria (1909) but the Labor party insistently demanded it as the only useful form. Therefore, with the triumph of this party at the 1909 elections, the tax became law (1910).<sup>32</sup> For resident owners an exemption of £5000 unimproved value was allowed but, as the Bill was directed avowedly against the larger estates, there were higher rates for absentees and for estates over £80,000.

27. The original rate was  $\frac{1}{4}$ d. in the £, the new one was double for over £5000, and 20 per cent. extra for absentees. Max Hirsch's "Land Values Taxation in Practice" (1908), esp. ch. 2-6; "Single Tax Year Book," 1917, p. 128.

28. W.A. Debates, Vol. 23, 1903, p. 1574; Vol. 29, 1906, pp. 1496, 681, 1030, 3621; Vol. 31, 1907, pp. 634, 1483; Vol. 32, p. 269. Necessary because of the loss of revenue since federation.

29. Queensland Debates, Vol. 95, 1905, pp. 933-4 (varied with the price per acre and the total value), 890, 2089 (Committee reported adversely).

30. Queensland Debates, Vol. 121, 1915-6, pp. 2116, et seq.; Vol. 122, pp. 2299, 3066. A Super-tax Bill was rejected in 1917.

31. For operation of flat taxes, see British Parliamentary Paper, cd. 3191, 1906; "Sydney Morning Herald," 11/5/08. For progression, see agitation of "The Beacon," 1893-9; "The Pioneer," 1890-1.

32. Commonwealth Parliamentary Debates, 1910, Vol. 57, pp. 3502 on; for opinion, see "Argus," 14/9/10 ("No double taxation"); "Sydney Morning Herald," 11/8/10; "Argus," 19/8/10 (uneasiness in London); 31/8/10 (pastoralists' view); London "Economist," 27/11/10 (hostile), cp. 18/6/11.



The measure was opposed in some of the States as an interference with their rights,<sup>33</sup> for it was the first direct tax (other than trade) to be levied by the Commonwealth, some persons holding that it was the intention of the framers of the Federal Constitution to allow no such powers.

However this may be, the measure has been maintained and extended.<sup>34</sup> The average yield—a remarkably constant one since 1915—has been about £2,000,000. This constancy seems to imply that in the first three years the tax was effective and that then its potency diminished. And a further analysis proves that the first tax **did** have the effect of subdividing the very large estates amongst families, leaving the moderately large ones untouched.

For example, the estates of over 20,000 acres in New South Wales and 10,000 in Victoria and South Australia diminished appreciably in number, the corresponding areas being distributed amongst the smaller taxable estates below that line. This transfer took place in each of the States mentioned in the first five years of the Act, since when no change has been evident. In Western Australia and Tasmania, no difference at all was noticeable, except a great increase in the estates between 5000 and 10,000 acres in the former. No figures are available for Queensland, but there results have been noticeable neither one way or the other.

The Act has therefore been only partly successful, although a revenue of £2,000,000 and a subdivision of the largest holdings in three States must be considered as its justification. The estates of between five and twenty thousand acres, comprising as they do twenty-four million acres (outside of Queensland), remain the troublesome point and it would be interesting to note the effect either of a higher basic rate or a more rapid rate of progression, although the policy of either of these increases is, of course, dubious.

In this connection, the legislation of New South Wales in the last decade has touched new principles. In 1913, the idea

33. Queensland Debates, Vol. 119, 1914, p. 2808. Cp. the important test case, *Osborne v. Commonwealth*, 1911, in which the High Court upheld it. "Argus," 2/2/11, 24/5/11-1/6/11. Cp. "Age," 17/4/15, for Queensland's opposition.

34. The following analysis is from annual reports of the Commissioner under the Land Tax Act, and deductions therefrom. For full details, see Commonwealth Year Books. For technical details, see N. B. Rydge's "Federal Land Tax Law" (1922); comments in "Progress" (single tax organ), 1910-9; "Argus," 8/12/14.

of a supertax on lands near railways or the Murray was proposed, the tax increasing appreciably every year but disappearing in proportion to the amount of agriculture.<sup>35</sup> The Labor Government thus wished "to tax lands into use" and to buttress the effects of the Federal Land Tax by concentrating on certain desirable districts. The Federal impost was progressive according to size; this new tax according to desirability.

Though the need was evident—for, in the real agricultural belt, only 6 per cent. of the land held in estates of over 5000 acres was cultivated—the Bill was four times (1913-6) rejected by the Council and never became law.<sup>36</sup> Nevertheless, it opens up a new idea and may prove the solution for dealing with the moderately large estate which the Federal Land Tax failed to touch. The present position is that land taxation in Australia, successful as a means of revenue—for over £3,000,000 is collected annually,—needs further study as a means of breaking up large estates, especially along the lines of the New South Wales ideas, which give the desired flexibility.

#### IV.—*Land Tenure.*

After the visit of Henry George to Australia in 1883, the question of leasehold attracted more notice,<sup>37</sup> Dutton's failure in Queensland being attributed to the conditions he imposed rather than to the principle of a perpetual lease. Various States adopted leases for certain purposes and the system later became one of the official points of the Labor program.

After Dutton, South Australia was the first to try the scheme, when the persistent campaign of Macpherson (1893-9) converted the Kingston ministry.<sup>38</sup> It was applied to closer settlement blocks until 1902,<sup>39</sup> but the Government failed to make a perpetual lease the sole form of tenure (1898). The opposition in this State was due to the financial aspect of the

35. N.S.W. Debates, 1913, Vol. 50, p. 694. "When a district is declared land-locked, certain taxes will be imposed, but the taxes will automatically disappear if the land is brought under cultivation."

36. "Sydney Morning Herald," 8/3/14; Debates, Vol. 60, 1915-6, pp. 2615-6. Of the coastal districts, 2.1 per cent. were cultivated, 1.9 per cent. of the tableland, 3.2 per cent. of Riverina, 4 per cent. of all (except the West). Cp. Vol. 61, p. 5289. Rejected in Council, 6-18 (March, 1916), and 9-21 (August, 1916).

37. Although the idea in itself was older, e.g., the writings of Melville in the thirties; G. Wyndham's "The Impending Crisis" (1847). Cp. "Sydney Quarterly Magazine," 1890, p. 51; J. Blacket's "Social Diseases" (1897); "Melbourne Review," 1884, pp. 13-26.

38. S.A. Debates, 1898-9, p. 444.

39. S.A. Surveyor-General's report, 1902-3, p. 5.

matter; although it was made plain that the people preferred a freehold. Thus, an attempt to make lease obligatory in 1911<sup>40</sup> was reversed in the following year, the matter remaining, and still remaining, optional.<sup>41</sup> This is the position in Victoria, also, where either a freehold or a lease may be obtained.

New South Wales followed in the same direction. Long term (not perpetual) leases had been arranged by "the ideas of 1894" and, by 1911, three-quarters of the land selected was under this tenure. Accordingly the Labor party in 1912 made the tenure obligatory and instituted new forms which were "a direct challenge as regards the freehold system."<sup>42</sup> Thus matters stood until the next political change, when the National Government of 1918 allowed a choice between the two forms, on the ground that there was no longer any fear of aggregation under freehold.<sup>43</sup>

In two other States, Western Australia (1912)<sup>44</sup> and Tasmania (1915), the Labor administrations were unsuccessful in introducing lease, for it was feared that the periodical assessments might not be equitable and that there would be little inducement for the erection of improvements. In short, the measure was looked on as of *doctrinaire* use only.

But Queensland was not content with this, for there the Labor Party was stronger. What was termed "the principle of the nationalisation of land" was provided for after no less than three decisive rejections.<sup>45</sup> In the first fortnight of office, the Ryan administration issued an Order-in-Council giving

40. Cp. rejection in 1907. Debates, 1907, p. 540; "Inquirer," 19/11/08.

41. For 1911 Bill, see S.A. Debates, 1910-11, Assembly, p. 651, and contrast 1912, pp. 1099-1101.

42. The Liberals allowed a conversion to freehold in 1908 (Debates, Vol. 31, pp. 1744-5), and it was this which the Labor party revoked in 1912. Debates, Vol. 44, 1911-12, pp. 3169-71; cp. Vol. 45, p. 4101; Vol. 63, 1915-6, p. 6459 (extension).

43. N.S.W. Debates, Vol. 69, 1917-8, pp. 1918-9.

44. See W.A. "Government Gazette," 19/10/11, for orders in this direction. Cp. Debates, Vol. 41, 1911, pp. 3, 1252; "W. Australian," 9/11/11, 25/10/12. Perpetual lease was proposed after the poll of 1911, because of "the dispossession and divorcement of the people from the soil." This was evident because 299 persons held a third of the land, and "trafficking" by "mushroom agencies" was an avowed evil. An overwhelming majority of the Assembly was in favor of Bath's Bill against "the absolute delusion" of freehold, but unfortunately for the project, an equally overwhelming majority of the Council was against it. See "W. Australian," 25/10/12; Debates, Vol. 44, p. 2897; Vol. 45, p. 4216, 4238; "W. Australian," 30/7/13, for Council's attitude. "Bath's Baby," as the measure was termed, was never mooted again.

45. Queensland Debates, Vol. 95, 1905, p. 1413; Vol. 96, pp. 2156-9; Vol. 101, 1908, p. 364; "Courier," 28/10/13. The three occasions were in 1905, 1908, and 1910.



priority to lease (June, 1915)<sup>46</sup> and a year later abolished the freehold tenure *in toto*. Despite the claims that, in 1915-6, five times more land was taken under freehold than lease, the administration gave the latter tenure not only priority but monopoly.<sup>47</sup>

Thus, in one State there is lease alone, in three a choice between the two tenures, and in two (Western Australia and Tasmania) freehold alone. In the Northern Territory, too, lease is the only tenure but there is a pronounced agitation against it.

But a new fact has emerged and vitally changed the situation. Save in the Northern Territory, where conditions are exceptional, the difference between the two tenures has narrowed until it has become almost infinitesimal. Australian tenures have all accepted the idea of LIMITED FREEHOLD, that is, a title dependent on the performances of conditions such as residence or improvements, these conditions applying to the transferee as to the original holder.

“It was a very short step,” said a Labor Premier,<sup>48</sup> “from the perpetual lease with its nominal rental which the Labor Party called a leasehold to the fee-simple which the National Party called a freehold.” The difference was largely one of nomenclature; the imposition of improvements had bridged the gap; and the point was whether purchase money should be paid at once or spread over a number of years. Provided that the conditions suffice, aggregation is not more possible under the one than the other, while the large resumption powers of the Australian Governments still further narrows the gap. The issue, a troublesome one for forty years, has assumed a changed form.

#### V.—*Soldier Settlement.*

The other trends of recent policy have been due to the war, the most obvious being special attempts to settle ex-service men on the land. This is by no means a new feature

46. “Queensland Government Gazette,” 17/6/15. In the next twelve months, there were selections of 59,000 acres under perpetual lease, and, despite the priority of the former, 300,000 under the agricultural farm tenure.

47. Queensland Debates, Vol. 122, 1915-6, pp. 2250, 2541, 2552. Bernays says (p. 437), “no more important alteration of the law was ever made in Queensland.”

48. Holman’s policy speech. “Sydney Morning Herald,” 16/2/17.



in Australia's history, for it has yet to be calculated how much the continent owes to the military strand in the settlement of the late twenties and thirties. The early grants to officers, the many policies of remissions (especially that of 1826-1836),<sup>49</sup> and the volunteer land orders of the various colonies all make a fairly complete series of attempts at military settlement; but none of them were of the magnitude or uniformity of the attempts since 1916.

At first, there was separate State activity, with South Australia in the van (1915).<sup>50</sup> This State provided for a special Advisory Committee and for special training of the selected men. But the matter was of such common import that a Premiers' Conference at Melbourne in February, 1916,<sup>51</sup> resolved on a uniform plan throughout the Commonwealth. The States were to act, the Commonwealth to furnish funds.

New South Wales was the first State to pass an Act (1916)<sup>52</sup> under this agreement and, in addition, provided roads to the desirable lands of the north coast and special facilities in the "dry" areas near Griffith in the west.<sup>53</sup> Tasmania passed an Act in the same year and most of the other States in 1917. Further Interstate agreements in 1919 and 1920 mapped out larger schemes and increased advances from the Commonwealth, the latter reaching £1000 per settler. Under these arrangements, the Federal Government has advanced over £33,000,000 for soldier settlement, and every State, save New South Wales, has exceeded its quota, as follows:—<sup>54</sup>

	Original quota.		Settled to 30/6/22.
N.S.W. . . . .	8405	..	6136
Victoria . . . . .	5395	..	8871
Queensland . . . . .	2826	..	3977

49. E.g., circular of Colonial Office, 20/9/30; Bathurst-Darling, 1/10/26; circular despatch, 14/2/31; stopped by Stanley's circular of 20/8/36, confirmed 1/1/42. Cp. Journal of Australian Historical Society, Vol. 8, 1922, p. 91.

50. S.A. Debates, 1915, pp. 3027-8, amended in 1917. For results, see 1917, pp. 260-1, and Paper 1 of 1918 for report of Select Committee of Settlement of Soldiers, p. iv. Cp. Debates, 1919, p. 2; paper 10 of 1919; appendix 2 of 1920 report of Department of Lands.

51. Reports of proceedings in Parliamentary Papers of each colony; Victorian Debates, Vol. 144, p. 1454; "Argus," 12, 21/2/16, 5/7/16, 9/9/16.

52. N.S.W. Debates, Vol. 62, 1915-6, pp. 5487-8; "Daily Telegraph," 5/7/16.

53. "Australian Department of Repatriation; Australian Land Settlement for Returned Soldiers" (1919); "Age," 21/7/20; C. Turnor's "Land Settlement for ex-service men in the Overseas Dominions" (1920), pp. 32-55.

54. Commonwealth Year Book, 1922, p. 936.

	Original quota.		Settled to 30/6/22
South Australia . . . .	1729	..	2394
Western Australia . . .	3100	..	3905
Tasmania . . . . .	1556	..	2585
	<hr/>		<hr/>
	23,011		27,868

In Victoria and Tasmania,<sup>55</sup> soldier settlement monopolised attention until about 1920 while, in South Australia, irrigation blocks are still open only to soldiers. It was South Australia, too, which first emphasised the need for probationary training, and pointed out that the first stage in Victoria and Western Australia<sup>56</sup>—giving money and land without instruction—was “a suicidal policy.” This was soon remedied and, after the initial confusion, the emphasis everywhere was on training.

To South Australia, too, belongs credit for the most determined stand for the soldiers, in the matter of compulsory resumption,<sup>57</sup> although it was in Queensland that the most liberal terms regarding resumption and repayment were offered.<sup>58</sup>

Western Australia added another element by settling soldiers as small squatters but was soon outdistanced in this by New South Wales. Victoria, while attempting no experiments, secured results on the irrigation settlements of Nyah, Merbein, and especially Red Cliffs, at the latter of which alone 1000 soldiers may commence intensive cultivation. New South Wales has not been so successful, for much of its group settlement<sup>59</sup> was “most unsatisfactory” and the plan of marketing through the Government failed. The rise of co-operative marketing in 1919 and the grazing settlement of the far west,<sup>60</sup> however, have recently cause a more hopeful outlook, although unsatisfactory administration, which necessitated the

55. Tasmanian paper 19 of 1917; “Mercury,” 13/10/17; 21/10/21.

56. Contrast the declaration of policy in “W. Australian,” 24, 27/3/17.

57. S.A. Debates, 1919, pp. 439-444; “Advertiser,” 20/8/19.

58. Queensland Debates, Vol. 125, 1916-7, p. 2806; Vol. 126, p. 2. Cp. valuable section in Bernays, p. 337, et seq. Cp. Melbourne “Argus,” 1/7/18, 22/11/18. But contrast results in 27/7/23.

59. Progress report of Select Committee on Soldier Settlement in N.S.W., November, 1922, p. iii. Cp. report of Department of Lands, 1920, pp. 47-49.

60. Report of Western Land Board, 1920, p. 24. See N.S.W. Lands Department pamphlet, “Land for Soldiers” (1919).

appointment of a Royal Commission in 1921,<sup>61</sup> has again caused delay.

The matter of administration proved a troublesome point everywhere, Victoria's combination of a Qualification Committee to examine applicants and a Director of Soldier Settlement (1919) to supervise the practical operation of the scheme proving the most satisfactory.<sup>62</sup> Victoria, therefore, did not have the trouble which led to the investigation by Royal Commissions in South Australia (1919)<sup>63</sup> and New South Wales (1921), and a Select Committee in Tasmania (1921).<sup>64</sup>

It was natural that new administrative machinery would cause trouble but gradually a system was evolved, although there is still need of uniformity between the States. On the whole, the settlement of nearly 30,000 men on the land within six years must be viewed as satisfactory, especially as 40 per cent. were settled within the last two years, and there is every indication of an increase in the number. An allowance of £625 to each settler for working expenses, a training, easy repayments and group marketing adequately deal with the situation from the Government's point of view, although further development along the last line is eminently desirable.

So successful was the principle of this soldier settlement that recent observers have urged its extension to the lands of Europe, a French writer of 1919 (Buron) remarking upon "the practical spirit and the strength of the sentiment of solidarity which has inspired this legislation,"<sup>65</sup> pointing in particular to the river settlements of South Australia. As compared, too, with Canada and the United States, the Australian achievement cannot but be regarded as satisfactory.

## VI.—*State Marketing.*

Another development of the war was in regard to the disposal of produce, especially of the grain crops. As early as November, 1914, the combination of the drought, the war and

61. Report of Royal Commission, August, 1921, pp. II.-v., cxvi.-cxvii — "indifference or neglect deserving of severe censure" on one charge.

62. Victorian Debates, Vol. 146, 1917, pp. 701-2; Vol. 154, 1919, p. 3014.

63. S.A. Debates, 1919, p. 531.

64. Tasmanian paper 61 of 1921 (Lands too dear, 20 per cent. of settlers unsuitable, insufficient holdings). But there was a healthy movement to explore the Trowutta district, and to open up bush runs.

65. E. Buron's *Donnez les Terres aux Soldats* (1919), pp. 111-124. By the middle of 1924, there were 34,000 soldier settlers.



the Labor Party led to proposals in New South Wales for the compulsory acquisition of the wheat crop by the Government,<sup>66</sup> for it was anticipated that this State alone would have a surplus.

Next year a more extensive project was mooted and, after negotiations from August to November, 1915, the Wheat Pool was arranged.<sup>67</sup> All the wheat in Australia was to be compulsorily pooled for the purposes of local sale, shipment and realisation in every way. The banks agreed to advance money at the liberal rate of 5 per cent.<sup>68</sup> and an Interstate body called the "Australian Wheat Board," with local Wheat Offices in each State, was set up. In a moment, "producers, shippers and millers were plunged into a new order of things. Where they had been free to do business as and when they pleased, they now found themselves under Government control."<sup>69</sup>

At first, all went well, for the harvest was larger than anticipated and the market firm. But difficulties occurred when the scarcity of shipping became acute and when the American wheat market collapsed. In consequence, sales were slow and not half of the first harvest was disposed of. In November, 1916, however, the first sale to America was transacted and next month, the Imperial Government which had previously lent £11,000,000 to reduce the overdraft<sup>70</sup> brought about "the largest wheat transaction yet recorded in history."<sup>71</sup> Three million tons of wheat—the unsold balance of the 1915-6 crop with most of that for the next year—were purchased for £26,600,000.

The matter of disposal was thus settled, but the problem was to carry out the agreement. Half a million tons had to

66. N.S.W. Debates, Vol. 55, 1914-5, pp. 1480; Vol. 56, p. 780; "Argus," 20/11/14; "N.S.W. Government Gazette," 22/12/14. The Holman ministry was hopeful of Interstate co-operation in this matter, but found none. Opposition was roused to its seizure of wheat crossing the frontier, esp. 100,000 bushels going to New Zealand ("Sydney Morning Herald," 21-22/12/14). Finally the matter came before the High Court ("Argus," 2-10/3/15, which upheld the State. See "Sydney Morning Herald," 24/5/15, for report of Royal Commission; "Argus," 9/7/15, for results.

67. The best account is in pamphlet, "The Australian Wheat Pooling Scheme," issued by Australian Wheat Board, October, 1918; "Argus," 6-9/11/15; 30/11/15.

68. 6 per cent. for 1920-1.

69. "The Australian Wheat Pooling Scheme," p. 7; "Argus," 1/1/16.

70. "Age" (Melbourne), 23/6/16.

71. 4/9 a bushel, f.o.b. There was a further sale of 1,500,000 bushels for £15,400,000. "Australian Wheat Pooling Scheme," p. 9; Commonwealth Year Book, 1920, p. 365; "Argus," 14/12/16.



be shipped monthly, yet in practice not one-tenth of this was sent. Even by October, 1918, more than two-thirds of the wheat remained stored in Australia, the shipping trouble thus taking away any benefit which might have accrued to Britain from the transaction.

Trouble arose, too, in other connections. During the long delay, the price of wheat had risen and the Australian farmers, undergoing a period of stress, complained about the whole transaction. Thus, though the pools went on until the 1920-1 harvest, it is estimated that in only two of the seasons did the farmer make a profit.<sup>72</sup>

Then, too, there were difficulties of administration. Though the position was unprecedented and though confusion was inevitable, there can be no doubt that, as a representative Committee reported in New South Wales in 1921,<sup>73</sup> the conditions were "unnecessarily aggravated by the mishandling of most of the wheat pools." The State offices were at first under inadequately trained officials or, in the words of the Commission, "underpaid officials with insufficient business knowledge and experience,"<sup>74</sup> and this for a scheme which involved £130,000,000 for the Commonwealth! The consequence was that the financial position of the pools could not be fairly estimated and the system of advances to the farmers was dilatory.

It was difficult to deal with such a quantity of wheat and, of the 1916-17 harvest alone, nearly three million bushels were lost,<sup>75</sup> 52,000 bushels at one depot going to thieves and weevil.

Despite these faults a task of great magnitude was carried through. Taking the whole of the six compulsory pools, 637 million bushels were dealt with, the value realised being £188,000,000, two-thirds from overseas sales. But the result was not such as to justify the continuance of the pool<sup>76</sup> under

72. The New South Wales figures for each year were profit of 1/3 a bushel, loss of 1/-, profit of 6d., loss of 1/-, loss of 6/2. N.S.W. Committee on Agriculture, 1921, pp. 31-2.

73. Second Interim report of N.S.W. Committee on Agriculture, 4/11/20, p. 10; see evidence in detail for the best analysis.

74. Report of N.S.W. Royal Commission (Mr. Justice Pring), into State Wheat Office, pp. 2-3. "Sydney Morning Herald," 28/4/17.

75. Pring's report, p. 17. Cp. "Argus," 18, 22/8/16, 16/4/17.

76. Cp. vote of confidence against Lawson ministry, Victorian Debates, Vol. 157, 1921, *passim*; "Age," 28/8/21. For Queensland, see Debates, Vol. 126, 1917, pp. 2-3. For S.A., see "Advertiser," 24, 30/10/23. For N.S.W., see "Sydney Morning Herald," 6/9/23, 28/12/23. The State finally retired in November, 1923. ("Herald," 30/8/23-6/9/23). For Victoria, see "Argus," 21/11/23, 12/12/23. Cp. in this regard the reaction against bulk-handling, the 1920 Committee above, reporting that its disadvantages outweighed the benefits.

ordinary conditions and, although Western Australia continued a compulsory pool in 1921-2, the other three States concerned had merely voluntary arrangements. The fact that only 61 per cent. of the marketable wheat was placed in the pool clearly proved the desire to return to pre-war conditions, a desire which has become still more manifest since that time. The farmer is too individualistic for its continuance.

Similar State activity, with similar complaints, took place in the wool sphere. After embargoes on export in the previous years, the whole clip was commandeered at the end of 1916 and placed under the control of a Central Wool Committee, assisted by State Committees, as in the case of the wheat pool. From 1916-7 onwards, it was arranged that the Imperial Government should take the clip for the continuance of the war and for one year after and, in all, over £160,000,000 was realised in this manner.<sup>77</sup>

But the scheme provoked discontent when in operation and caused a complete demoralisation of the wool market when it was discontinued in 1921,<sup>78</sup> the result of the whole matter being to show that such control might be politic in times of emergency but that, under normal conditions, the operation of the ordinary laws of supply and demand is preferable, although, of course, this may be accompanied by co-operative methods of sale.

#### VII.—*The Future.*

In one way, however, the abnormal conditions were beneficial; for the increased wheat yields per acre, those of 1915-7 being records, showed the efficacy of "improved cultural methods."<sup>79</sup> Previously the farmer had not been prone to adopt new methods but the war years caused a change, if only by reviving interest in agriculture.

In the period before the war, Australia had progressed along two lines in this regard. First, the modern harvester,

77. Under the scheme, the wool was valued by Government appraisers, and 90 per cent. of the value distributed within 14 days of the valuation. Portion of the 1916-7 clip, and the whole of the 1917-8, 1918-9, and 1919-20 clips were treated in this manner, the British Government guaranteeing a flat rate of 15½d. greasy.

78. During the 1920-1 season, less than one-third the amount of the previous year was sold, the result being that the British Australian Wool Realisation Association was formed in January, 1921, to dispose of the wool, its assets being capitalised at £22,000,000.

79. For interference with the individual, see "Argus," 6-26/2/15 (embargo), 20-22/12/16, 15/3/17, 1/8/17, and leader of 13/6/18.

impossible save in certain localities of North America, had made production cheap and summer fallowing had extended the wheat belt into the interior.<sup>80</sup> Secondly, the researches of William Farrer, co-operating with specialists in Colorado and Sweden, had shown that wheats could be produced varying with local conditions. Amongst his thirty-three new varieties were some for the dry tablelands, some for the moist coastal strips, others for every grade of intervening country. In addition, Farrer demonstrated the possibility of producing "Australian wheats that could compete with the best Canadian, American and Indian wheats,—a thing hitherto undreamed of."<sup>81</sup> In a word he had transformed the place of the farmer of Australia and, when the war started, the continent was just realising the full import of the new methods and the new wheats.

But not nearly enough had been done and for many reasons farming languished.<sup>82</sup> Price-fixing, war, rust, droughts—all combined, although the 1916-7 harvest, with its 152 million bushels, showed what could be done.

There were other causes, too, for the trouble. Although agriculture was pushing to lands which, like the Pilliga scrub of New South Wales or Victoria's "little desert," were considered unfit for farming a few years previously,<sup>83</sup> methods were backward. There was little intensive cultivation, and it has been remarked that the resultant yield per acre of eleven bushels is one of the worst possible advertisements to Australia, in view of the fact that Canada and United States have 20 and 15 respectively.<sup>84</sup>

80. Victorian Debates, Vol. 147, 1917, p. 2088.

81. A good account of Farrer is in science Bulletin 22 of N.S.W. Department of Agriculture, by F. B. Guthrie—"his work is not merely of local, but of world-wide importance." Account of his methods is in report of Fourth Rust-in-Wheat Conference, Sydney, 1894. The famous Federation wheat was first made available in 1902, and within seven years, one-quarter of the farming area of Victoria was sown with it. Farrer has improved the selling value of Australian wheat at least 2/- a quarter (p. 20, Guthrie). Cp. "N.S.W. Agricultural Gazette," Vol. 2-17, *passim*, esp. Vol. 13, p. 977; and two articles in Australian Association for the Advancement of Science, Vol. 13, pp. 525, 536.

82. Cp. W.A. Royal Commission on Agriculture, 1916 (papers 7 and 15 of 1917-8); Final report of N.S.W. Committee, 1921, pp. 33-35; report of Scottish Agricultural Commission on Australia, 1911; Journal and Proc. of Royal Society of W.A., Vol. 6, 1919-20, pp. 59-70; R. D. Watt in Royal Agricultural Society Annual, 1919, pp. 91-116; Carruthers in Royal Agricultural Society of N.S.W., November, 1918, pp. 46-58.

83. N.S.W. Debates, Vol. 37, 1910, p. 40; Brady's "Australia Unlimited," *passim*; "Argus," 3/12/23, for development of 10 years.

84. 1921 Committee (N.S.W.) Final report, p. 38.



This is largely due to the backwardness of agricultural education for, while Canada and United States have 4000 agricultural high schools, Australia has but sixteen institutions which may be so designated! A Committee of 1921 therefore estimated that America does 150 times as much as New South Wales in proportion to population, yet the other States lag behind New South Wales. Lax methods are particularly noticeable in the mixed farming which has been such a feature of Australian land activities in the last thirty years. Breeding, selection and grading are needed above all things.

So, too, in the pastoral sphere which is still Australia's staple.<sup>85</sup> In general the demand for stock during the war caused prosperity, although the weak market and the drought of 1919-20 led to the loss of over eight million sheep. Australia has only three-quarters the sheep she had in 1891 and, even admitting that the country was overstocked prior to the droughts of the nineties, there is no reason why, with the opening of the interior by artesian water, this production should not be increased, for there has been a world-wide shortage since 1917.

Thus, Australia's future is full of possibilities. New wheats, new methods, and irrigation make possible the extension of the wheat belt, and the shortage of wheat in the old rivals of India and Russia provides an impetus.<sup>86</sup> Education, developmental works, more help and better credit are needed. Similarly in the pastoral world, the noticeable decrease in America's wool production leaves Australia unrivalled, while the frozen meat trade opens another outlet. Mixed farming has a production "astonishingly low" and a future unlimited. And, in the north, tropical products, such as cotton<sup>87</sup> and rice,

85. Leroy-Beaulieu's *Les Nouvelles Sociétés Anglo-Saxonnes* (1903), p. 80. For position of pastoral industry, see Royal Agricultural Society Annual, 1906; chapter in P. Maistre's *Commonwealth d'Australie* (1913); Sinclair in Federal Handbook, 1914, for Australian Association for Advancement of Science; Journal of Department of Agriculture, W.A., 1904, p. 426 et seq. Here the position is at present complicated. The flight of merinos to South Africa and the disparity between the merino and crossbred prices are ominous events, but two factors augur well for Australia:—

- (1) The world shortage of flocks, "The world is crying out for more wool." This shortage is specially noticeable in U.S.A. and the Argentine. See London "Times," 19/1/24 and 18/3/24, and tables attached to third annual report of B.A.W.R.A. Ltd. (April, 1924);
- (2) The new demand of the Orient. For example, 40,313,600 square yards of woollens went to China and Japan in 1922 as against 11,917,300 in 1921.

86. Cp. the failure of the agricultural reforms in England, 1914-8 "Argus," 5/10/23. See figs. 76-83 for present situation.

87. For cotton, see bibliography, below, or Agricultural Papers (Mitchell Library), p. 31; Gardiner MSS., p. 60; "Brisbane Courier," 30/3/61.



are only beginning to attract attention. The distress of the Northern Hemisphere is Australia's opportunity; and the future lies not, as in the past, with the maker of land laws, but with sympathetic administration and education.<sup>88</sup>

88. There is another side stressed in Dr. Darnell Smith's evidence before the N.S.W. Committee, 1920. "Australia at the present time is carrying out the biggest biological experiment the world has ever seen, the attempt to keep a whole continent white, and on the progress of agriculture in Australia depends the success or failure of that experiment." Cp. "*Das Phantom eines Weissen Australasiens*" in A. Manes' *Ins Land der Sozialen Wunder* (1911).

## APPENDICES

## APPENDIX 1.

## LATER HISTORY OF THE AUSTRALIAN AGRICULTURAL COMPANY.

The commencement of coal mining on a large scale accentuated the labor trouble—always the *bête noir* of the Company. It was in this labor sphere that the Company performed valuable service, for, in less than twenty years, over 650 freemen were brought in, just when convict labor was being withdrawn. The Company had felt the labor shortage since 1836; and its efforts showed the Government and the squatters how cheaply emigration could be effected. Naturally, there were difficulties. The indentured servants proved unruly, and a batch of Irish laborers, sent in 1841, were worthless characters, proving “nearly a total loss to the Company.” This led to careful selection; and consignments of English and German shepherds of the same year were most successful.

Then came the drought and the crisis, when the Company could neither obtain labor within the Colony nor afford to introduce it from England. Sales of stock and coal fell off, and all colonial produce was depreciated. After a brief respite in 1845-7, the depression again became acute, with the result that in the early fifties, ruin seemed imminent.

A special Act of Parliament (August, 1846) removed restrictions on sales, and the Company, after two years' negotiations, were “on a footing of complete independence of all interference in the disposal of their lands.” With this background, a tenantry campaign was launched, the half-million acres between the Manning and Port Stephens being reserved for “the location of *emigrant capitalists*.” Such persons were to have a perfect freedom of selection at the fixed price of £1 and free passages in a specially chartered vessel. Strzelecki outlined a scheme to irrigate the southern portion of this land from the Karuah, and altogether the scheme was the largest and most practical of the many colonisation ventures then contemplated in the Australian settlements. But Lang's visions of the cotton fields of Moreton Bay and bubble schemes to colonise the American west afforded too keen a competition and, although the Company sent a ship in 1849, the response was not as great as expected.

A Commissioner (Rolfe) was thereupon sent out to report more closely on the policy of subdivision, and a project of importance to the whole of northern New South Wales was commenced. This was a plan to tap the immigration to New England and to divert the trade of that district to Port Stephens. It was in full sway by the middle of 1855 and reduced the importance of the towns to the West.

But the gold discoveries prevented anything like a fair trial, although, before the end of 1853, the Company had sold £14,401 of land. Emigration for agricultural purposes ceased; colliers and shepherds at once deserted; and in 1853 the Peel River flocks were shorn in the grease for lack of hands to wash them. The manager, therefore, attempted to recruit laborers from ships arriving at Melbourne, and even imported 80 Chinese coolies as shepherds.

Affairs reached a climax in 1855, when a Committee of Consultation revealed a deplorable state of affairs, due primarily to the labor trouble and secondarily to the deterioration of the stock. The high name which the Company had enjoyed in the early forties had become jeopardised under Brownrigg. The cattle were utterly worthless and sheep nominally valued at £130,000 were worth £5011. There had not been a muster or a branding of cattle since 1849, and it was impossible to separate the well-bred Durhams from the wild mobs.

This led to a long period of trial. In 1852, for example, the Company had alienated its Peel River Block to a special company under Strzelecki—the “Peel River Land and Mineral Company.” In 1857, too, operations were still further reduced by the withdrawal from sheep raising but, by 1862, largely owing to “the unsettled policy of the Government” (1858-61) in land matters, the Company was still in a position “of extreme embarrassment.” “The Colliery is paralysed by want of labor—the Stock Department is limited to a market, now and likely to continue subject to great depression—there is but little prospect of deriving any large return from our lands.”

The Company therefore, “in spite of the instincts of caution and the warnings of experience,” took the only way out and reopened the sheep runs “on the fat plains of Warrah” (1864). Owing to continued infusions of new blood, the shorthorn herds were flourishing and now nearly 24,000 sheep were placed on Warrah. In 1867-68, a vigorous fencing policy was instituted and £13,000 were spent on subdividing the estate into paddocks.

Coal mining, too, recovered. Previously there had been trouble over the Company's monopoly which Gipps had forced them to relinquish so effectively that, in the fifties, rival companies even erected railways through the Company's lands. Then came a period of “fruitless and wanton rivalry between the Companies,” until a schedule of prices was fixed in the sixties. After the prolonged strikes, especially from 1861 to 1865, mining became the chief of the Company's activities and soon the beds under the Newcastle Hill and even under the sea were exploited.

Thus, from the seventies, there was prosperity. The Company retained its Port Stephens and Warrah estates and, to 1877, had alienated less than 8000 acres for £31,517. But the creeping northward of closer settlement accelerated the alienation, and the sleepy hamlets on the Company's lands clearly belonged to a past day.

The Gloucester or Port Stephens estate was opened up in the present century, after it had long lain “a great inert obstacle right in the path of prosperous agricultural settlement” (*The Gloucester Estate*—pamphlet, 1905). The Port

Stephens half was sold to graziers and the Gloucester River country disposed of to a syndicate in 1902. This measure was due to the effect of Reid's land tax, for "the estate was not bringing in enough revenue even to defray the amount of the tax." The syndicate, which included both the Premier and the leader of the Opposition (Lee and Carruthers) quickly subdivided the land, thousands of acres which had been bought for 12/6 selling from £1 to £5/13/-. Even then, the result was "an object lesson in closer settlement." At the same time, the Gloucester stud cattle—"one of the very best herds of shorthorn cattle that has ever been in Australia"—were scattered, to the benefit of the northern herds.

Shortly after, the Warrah estate was undergoing the same progress, the determining factor being the Federal Land Tax of 1910. The Wade Government, too, resumed about 45,000 acres and, by 1918, this resumed portion had increased to 100,000 acres. A policy of voluntary subdivision was commenced and, to date, there have been four large sales (1914-1923). At the first of these (12/11/14) an "extraordinary interest" was evinced, despite the drought and the war, and land-seekers from all over the State bought £141,000 of land in half an hour. Of the old Company, therefore, there remain but the mines and a fragment of Warrah. It cannot be denied that, in the last thirty years, these two estates, which lie directly on the main northern route, blocked settlement, but there *was* a place for such a Company up to the sixties, when its stock, its labor supplies, and its pioneer work were essentially useful. One fact reveals its services—that, in its first 22 years, dividends of only 34 per cent. were paid on the capital, and that the money thus fruitlessly expended introduced "such a class of stock that would never have seen New South Wales but for them" (*Maitland Mercury*, 1896).

## APPENDIX 2.

## LATER HISTORY OF THE VAN DIEMEN'S LAND COMPANY.

The first tenants under the new scheme of 1839 sailed in October of that year and were soon followed by a number of others, tenants crowding in on the second Agent, Gibson, faster than he could accommodate them. It was found that the coast land, once cleared, consisted of a deep rich loam of remarkable fertility and, especially after Strzelecki, the Polish explorer, declared that no finer opportunities existed in the island, there was a rush for the 80-acre blocks at Circular Head and Emu Bay. Ships came round the coast from Hobart with local applicants, and advance agents came even from Neuchatel in Switzerland. By the middle of 1842, therefore, 35 families were settled and, by the end of the year, there was a tenant population of 495 all told.

The Company at this time sought to obtain its title-deeds, an Enabling Act being passed in 1845 not only to grant them but to allow the Company to sell its land at once, without waiting for five years, as the Charter had provided.

But by this time conditions had again undergone a transformation, for the introduction of the tenantry project coincided with "a period of almost unprecedented depression" throughout the Australian colonies. At the end of the first year, the tenants were in consequence indebted to the Company to the extent of £7500, which had increased to £12,500 by 1844. To make matters worse, Gibson consented to take all the produce of the tenants at a fixed rate for seven years. The prices were so high and the whole proceeding such a flouting of ordinary economic laws that the result was inevitable. Within a few years, the Company lost £10,000 and at the end of 1847 was confronted by dissolution.

A policy of sales at any price was adopted; but the high price of labor in New South Wales and the discovery of minerals in South Australia kept the island depressed and forbade either a tenantry or sales. The project of forest farms on easy terms (1847-9) fell through, and, even the recovery, due to the Californian demand for wheat, was only temporary.

In consequence, a Committee of Inquiry was appointed in 1851 and the whole of the establishments were to be broken up when, in June of that year, came rumors of the Bathurst goldfields and an *immediate* rise in the price of wheat to 9/- a bushel. As in the case of the mainland company, a transformation was wrought. The Company took out a gold license, restricted sales, was chary in the issue of leases, and extended the embryo townships of Stanley (Circular Head) and Burnie (Emu Bay). In 1855, the effects of the gold discoveries allowed the Company to inaugurate a policy of periodical sales, with town lots at an upset price of £80-£160 an acre and forest blocks at £2 an acre. A "new era" was said to be at hand, and there was a rush of events. Gold was reported all round the Company's land—at Macquarie River, Deloraine, and even on the Emu. Townships at Woolnorth and on the Cam were proposed and the continuation of the Deloraine road mooted.

But this spasm of energy was too vigorous to continue, and the Government's new land policy commenced to nullify the Company's efforts. The newly responsible Government proposed to throw 160,000 acres into the market, and these were all lands in unsettled districts like the Company's holdings. Thus, while the Company's sales in 1857 progressed favorably, those of 1858 and onwards were "a dead letter."

At this time (1858), the Company owned 403,000 acres of which only 3000 were improved. Not less than 12,000 acres had been sold and there was an annual rental of £3000. There was a population of 1250 on its lands, and town sections were realising £160 an acre. The yearly toll to the Government for police assessment and road rates amounted to nearly £4000 and the lands were still as independent of the central administration as in Curr's time. The North-West was still a principality within a principality, and there was a gap between the Hills and the Government settlements.



In the early sixties, the Company still tried to push sales but, though a policy of improvement prior to subdivision was furthered, the Government's reckless alienation proved an insurmountable obstacle. There set in, too, a long period of decline in agricultural matters just when the leases of the first tenants expired. This continued throughout the sixties, although the moving of the population to the lands west of Deloraine was a hopeful sign.

Under the third agent, Norton Smith (1869-1903) the existing Woolnorth herds were founded, for, since 1850, the Company had indulged in no farming activities. Since 1887, too, the Company has recommenced clearing the forest lands, and, in the early nineties, started sales once more. The railway to the Zeehan copper mines came under their control, and, in the late nineties, the lumber industry—foreshadowed forty years previously by the Victorian Government's demands for railway sleepers—developed.

In the present century, a definite policy of closer settlement was commenced. Sales, which had previously been intermittent, started regularly in 1912, and, hereafter, alienation on easy terms was the avowed aim. The result is a gratifying example of what may be achieved by well-directed settlement. At Circular Head, all of the good land is let, and this is "probably the closest settled district of Tasmania." At Emu Bay the settlement is not so extensive, extending back from the coast only six miles; but a policy of scrubbing has gradually been extended. Until 1903, the Hills—Hellyer's country—were let to a tenant in whose family they had been for sixty years. Since then, two-thirds of the Hampshire Hills have been sold, and the Surrey Hills disposed of to one of the Company's subsidiary ventures, now being partly used by the Company, partly let to grazing tenants. Of the remaining tracts, the islands were sold to a single purchaser, and Woolnorth, with the exception of the alienated to the settlement in Montague Bay, is used for grazing.

The influence of such a scheme in the formative period of the colony was great, especially when it is considered that, when the Company obtained its 350,000 acres, only 763,499 acres had been alienated in the whole of the island (1826). And its expenditure of £170,000 had a greater relative effect than did the Australian Agricultural Company's expenditure of £250,000 in the same period. As Curr wrote in 1832, the Company's service was in pioneering "for others at the very extreme of the Island," a comparison with the present line of settlement proving the point. (See fig. 14.)

#### APPENDIX 3.

##### TO EXPLAIN MAPS ON THE OPERATION OF FREE SELECTION.

###### (1)—MINING LEASES.

This was a run of good black soil in the Murrumbidgee area *without any indication of minerals.*

Of a total of 35,600 acres,

bona-fide selectors had 13,874 acres, but were hemmed in from grass, "and farming without grass here is useless."

13,784 acres were purchased in the interests of the station, and a pre-lease had been secured over a further 15,116 acres.

"The selectors, having been hemmed in and deprived of any opportunity of obtaining pre-leases, must surrender when it suits the convenience of the lessee to make terms with them. 15,000 acres of the best land, however, remain exposed, and auction sales, although desired, could not be hurried on. Consequently vigorous action had to be taken to prevent an enemy invading the very centre of the territory, and the expedient of making use of mining conditional purchases was adopted. 27 selections of this class have been so posted over the vacant territory that it can be defended until relief comes in the person of a surveyor to measure it for auction. No minerals, *not even pebbles the size of a hen's egg*, were ever found on the run or near it."

###### (2)—HEMMING IN OF SELECTORS.

This was the Berthong run in the Lachlan district. It was "a striking instance of the way in which a large estate is accumulated by means of conditional purchases mainly, and how selectors are effectively closed in." Of an area of 52,000 acres, 35,434 acres were bought in the interests of the run, and 7,322 by bona-fide settlers. But these latter were absolutely surrounded on all sides and had no vestige of grass right or pre-lease.

###### (3)—USE OF WATER FRONTAGE.

This was portion of a run containing 147,000 acres of good pastoral country in the Gwydir (northern) district. "The whole of the available water frontage has been secured, together with commanding positions in various directions." In this "typical and illustrative" instance, the lessee was enabled to secure the whole of the 147,000 acres by buying 33,640 acres along the river (in areas of 40 to 640 acres) and by securing pre-leases over 54,942 acres more. The result was that selectors held only 640 acres of the whole, for the back country was comparatively useless without access to the stream.

###### (4)—LOCKING UP RUNS BY RESERVES.

This run in the Bligh district illustrated how reserves were used to defeat the aims of the Land Acts. Of a total area of 38,000 acres, the station has purchased only 3,746 acres, and yet is perfectly secure, for the lessee has pre-

leases for a further 8,172 acres, and reserves of 5,670 acres have been declared at the strategic points to safeguard the whole. Such stock reserves (for travelling stock, for water, etc.) would naturally be in the desirable positions, and influence at the Lands Office could easily have them so distributed as to lock up the land for the lessee. This run "illustrates very clearly how a lessee, aided by reserves, has been permitted to secure the whole of his run by the purchase of little more than one-tenth. The frontage (i.e., to the river) has been bought at auction and by dummying; and by the use of mining conditional purchases, where there are no ores, some vantage posts have been seized."

#### (5)—WHOLESALE AUCTION.

This case is of more than ordinary interest, because it represents the confines of an important town and because it was typical of what was going on throughout the famous Deniliquin country. Four stations are found to hem in the town of Deniliquin, and, owing to a reckless policy of auction, even of reserves, the lessees have gained a permanent throttle-hold. Of the four,

	Acres.	Acres.	Acres.	Acres.
Total Area .. ..	105,600	76,800	89,900	44,670
Bought by Run .. ..	64,406	59,581	62,837	4,572
By Selectors .. ..	25,183	8,502	22,157	14,213

In no case have the selectors any of the grass rights allowed by the law. This extremely valuable land (through the second run goes the Moama railway, and the third includes a frontage to two rivers) was alienated chiefly by auction, which meant sale at about 21/- an acre. Even the township reserves were largely acquired by the squatters because of purchases in regard to improvements. The device of Volunteer Land Orders was also utilised, for 92 of them were spotted over the second run. By such means was the Deniliquin public estate reduced to "narrow reserves and a few other shreds." The case was typical, too, for in the Deniliquin surveyors' district, two and a half out of four million acres were made into large estates. And so on, throughout the whole Riverina.

#### (6)—PEACOCKING.

i.e., seizing the "eyes" or the vantage points throughout in such a manner as to render the intervening land useless. This was a very valuable cattle station, carrying a large herd, and in the Clarence district, one of the best in the colony. The total area was 258,293 acres; and the holder obtained the main water-frontage and the other key-positions by buying 27,209 acres, by getting a pre-lease over 39,740 acres, and by having 53,555 acres locked up in reserves. Selectors held only 322 acres of this vast area and could not obtain pre-leases. The land was bought in "40-acre lots scattered broadcast over the run, and it is impossible not to admire the skill displayed in letting them fall exactly where they are wanted. *No general ever posted his troops in more impregnable positions.* The wonder is how it came that the Department of Lands allowed their surveyors to measure so many scattered lots on the same run, to enable the lessee to destroy the public estate. The whole transaction would be incredible were it not confirmed by the map."

#### (7)—PRE-LEASE.

This run was also in the desired Clarence district to the north. Of a station containing 89,000 acres, the lessee had bought 14,036 acres of the frontages and commanding positions. A forest reserve of 24,000 acres prevented selectors from encroaching on the upper part of the run, while the intermediate lands were vacant, because commanded by 11,494 acres of pre-leases. So successful had these pre-leases been, that selectors held only 1191 acres and no grass rights. Each squatter obtained a pre-emptive lease over adjoining land to the extent of four acres for every £1 of improvements which he erected on his run. Such land could remain locked up indefinitely if the lessee did not choose to exercise his right of purchase.

#### (8)—DUMMIES.

i.e., evading the Act by using puppets to fulfil the necessary conditions. This station in the Liverpool Plains district admirably shows the results. It consisted of 48,000 acres, only five miles from a railway line. It was "situated with a fine agricultural area, where the rainfall is abundant and regular." Yet, of 112 conditional purchasers, 108 worked in the interests of the station; so that the run obtained 18,111 acres by conditional purchase, while bona-fide settlers could get only 321 acres without pre-leases. The lessee, however, was enabled to grasp 7,930 acres of pre-lease. Such dummying, although not always on a scale so organised, went on everywhere.

#### (9)—AGGREGATION.

This illustrates the evasion of the law of 1861, even where good results came. In the Monaro (S.W.) lands, there were "substantial results from the Act of 1861, though not in the form presented by the law." Dummying was an institution here, and, in these typical counties of Wallace and Beresford, one-third of the land went to the original run-holders; one-third went to proprietors who had amassed estates of from 3,000 to 10,000 acres; the other one-third went to comparatively small holders, who had estates from 320 to 3,000 acres. Only one-fifth of the original selectors held land here, and, thus, the Act had directly fostered the aggregation of small allotments (acquired by conditional purchase) into large holdings suitable to combined grazing and tillage.



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## BIBLIOGRAPHY.

To be exhaustive on a subject which covers most aspects of Australian history either directly or indirectly is out of the question, but the main sources have been inserted, together with references to the chief articles which have thrown light on particular phases of the question. In each case, especially as regards the voluminous pamphlet literature, there has been a selection.

The writer would like to emphasise two facts, neither of which has yet received due consideration:—

- (1) *The wealth of manuscript material scattered throughout Australia*, some gathered in the Mitchell Library, some in the Chief Secretary's Office, Hobart, and some in the Archives Department of the Adelaide Public Library. But much is in private possession (especially in the older families), and still more gathered by the various pioneer companies. Most of this is peculiar to Australia, as duplicates were not sent to England (one instance being that of the hitherto neglected Northern Territory Papers at the Home and Territories Department, Melbourne).
- (2) *The value of the numerous French and German publications on Australia*. Inquiry at each of the Australian libraries failed to elicit lists of such books, although many of them show a critical viewpoint, the more valuable because Australian questions are approached from a detached attitude and compared with conditions in other countries. This is particularly noticeable on such matters as transportation, the squatting question (in which an unusual interest was manifested by such observers), and the general trend of recent policies of closer settlement.

The following list is roughly divided into parts and chapters on the plan of the text, save that, after 1850, the sources for each State are placed together. It must be understood, of course, that the space assigned to such primary authorities as Votes and Proceedings, Debates and newspapers in no wise accords with their importance.

## INTRODUCTORY.

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## II.—THE LAND.

In this connection, the work of Griffith Taylor stands out, e.g., in *Australia. Physiographic and Economic* (1911); *The Australian Environment* (1918).

The latter was the first scientific analysis of the relation between environment and settlement in Australia, and is invaluable on such matters as irrigation, the Northern Territory, the position of railways, etc. The great need is for "A Griffith Taylor Outlook" in the historical field, his chance remarks on Goyder's Line showing the scope for correlation in this direction.

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## PART I.—1788-1831.

### NEW SOUTH WALES.

#### I.—GENERAL.

##### *Incoming and Outgoing Despatches.*

##### Historical Records of Australia—

Series 1.—General despatches, collected to 1839. 19 vols.

Series 3.—Despatches regarding the outlying settlements, 6 vols.

Series 4.—Despatches on legal matters.

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## II.—EXTENSION OF SETTLEMENT.

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### (4) Wider Explorations.

Oxley's *Journal*, 1817, and *Letter Book* (MSS.).

*Brief View of the Progress of Interior Discovery of New South Wales* (1832).

*Journal of Two Expeditions into the Interior of New South Wales*, 1817-8, especially the northernmost.

J. F. Campbell's *On Oxley's Track* (1921).—Maps.

Accounts of Cunningham's journeys in Field (1825), or *Australian Quarterly Journal*, 1828, pp. 68, 151.

## III.—VAN DIEMEN'S LAND.

Governor's despatches, collected in Hist. Records of New South Wales, v. 5, or Hist. Records of Australia, ser. 3, v. 1-6, esp. v. 3, for examinations before Bigge. Extra ones for Sorell may be found either in the Mitchell Library or the Royal Society, Hobart (2 vols.). A complete set (indexed) of both the Outgoing and Incoming Despatches from Arthur onwards is in the Chief Secretary's Office, Hobart.—August, 1823, to 1856.

## MSS. in Mitchell Library—

Collection of General and Garrison Orders, 1803 on.

Macquarie Papers. *Tour to Van Diemen's Land*, 1810, 1821.—The former in particular gives an account of the island when records are lacking.

Knopwood's Diary, 1814-38.—Prices and conditions.

Sorell Papers (Letters, 1817-20; Proclamations and Orders, 1817-22; Letter Book of Private Secretary, 1819-24).—For the boom period.

Lockyer's Journal, for conditions at Port Dalrymple. (Cp. Riley Papers.)

Dixon Papers, 1821-3, for settlement at Sorell Plains.

Hobler Papers, 1825 on.—The best practical account of farming in the north and of labor conditions under a convict régime.

Scott's *Sketches in Van Diemen's Land* and *Account of Van Diemen's Land* (1822), the latter showing the state of affairs at the close of Sorell.

MSS. re muster-rolls and land-grants, 1816-8.

J. and M. Lord's Letter Book, 1819-21.—The vicissitudes of the largest settlers; shows the attempts to find new markets.

G. W. Evans' *Sketch of Van Diemen's Land*, 1820.—Useful for a critical period.

Lempriere's *Diary*, 1837-8, and Markham's *Journal* give conditions at close of period, the one regarding Hobart movements, the other touching the farming position.

Newspapers, esp. *Van Diemen's Land Gazette and General Advertiser*, May-September, 1814.

*Hobarttown Gazette*, 1816.

*Australasian*, 1824.

*Tasmanian*, 1825.

*Van Diemen's Land Monthly Magazine*, 1835 on.

Statistical Account of Van Diemen's Land, 1824-33 (1856).

## Secondary—

Sections in *Almanac de Gotha*, 1811; A. Delano's *Narrative of Voyages and Travels* (1817); Baudin; Dumont d'Urville; Freycinet; Pilorgerie; Péron (vol. 8); Laplace (vol. 3); *Asiatic Journal*, September, 1820 (agricultural position); *Quarterly Review*, October, 1825; *Van Diemen's Land Almanac*, 1833, pp. 13-124 (history); MacCarthy's *Choix de Voyages* (the section on *La Terre de Van Diemen's Land* in v. 10 is easily the best account in the twenties).

Lt. Jeffreys' *Van Diemen's Land* (1820).—General description.

Dixon's *Narrative of a Voyage to New South Wales and Van Diemen's Land* (1822).

Evans' *Geographical, Historical and Topographical Description of Van Diemen's Land* (1822), elaborated in 1824, the latter edition giving all grants to 1823. A French edition of 1823, called *Voyage à la Terre de Van Diemen*, is still fuller, and is especially valuable for the large colored map, not in the English editions.

Curr's *Account of the Colony of Van Diemen's Land* (1824).—Valuable documents in appendices, and good chapters on Government policy and stockraising. The two later works (*Three Years' Residence in Van Diemen's Land*, 1834, and *Settler's Progress in Van Diemen's Land*, 1825) are not so valuable.

Bischoff's *Sketch of the History of Van Diemen's Land* (1832).—A compilation from previous works, with a full account of the Van Diemen's Land Company and an excellent colored map.

Less important accounts are in C. N. Roding's *Schilderung der Inseln Van Diemensland* (1823); E. T. Bromley's *Address to the Agricultural Society of Van Diemen's Land* (1823); Godwin's *Emigrant's Guide to Van Diemen's Land* (1823); Widowson (1829); Betts' *Account of the Colony of Van Diemen's Land* (1830); C. M. Goodridge's *Statistical View of Van Diemen's Land* (1832); G. A. Wimmer's *Neueste Gemälde von Australien* (1832, 1834); H. W.

Parker's *The Rise, Progress and Present State of Van Diemen's Land* (has 1832 regulations in appendix, and prints Cross' 1833 map); Melville's *An Account of Van Diemen's Land* (1833).—Long account of history and conditions.

#### IV.—WESTERN AUSTRALIA (For Chapters 5 and 13).

For preliminary correspondence, etc., see—

Hist. Records of Aust., ser. 3, vol. 1.

Fraser's report, issued as pamphlet, 1906.

Lockyer *Papers* and Wilson's *Expedition to King George's Sound* (MSS., Mitchell Library).

Accounts and Papers (Britain), 1829, v. 24, p. 173 (negotiations of syndicate); 1830, v. 21, p. 345 (progress of settlement); 1835, v. 39 (1834 returns); 1837-8, v. 40, p. 186 (report, enclosing Arrowsmith's map; long despatches regarding squatting and agriculture); 1840, v. 33, and 1857-8, v. 24, for later events.

Hansard, 3rd series, v. 10, 21 (1832), *passim*.

#### MS. Sources—

Collie MSS. (Federal Parly. Library).—An account of events from 1828 to 1835, by an official.

Shaw Papers (Mitchell Library).—Long letters by a rich settler's wife; the only contemporary diary dealing intimately with the first fiasco and the settlement over the mountains.

Wollaston's Journal, 1841-44.—Invaluable for Australind and Bunbury; good account of the country north to Perth, with MS. plans.

Articles in the *Swan River Guardian*, 6/10/36 on, esp. those commencing 2/3/37 (opposition weekly); the *Perth Gazette*, from January, 1833, esp. for 1835, *re* the land compromise (moderate and pro-Government).

Annual reports of the Agricultural Society, 1832 on. Owing to the peculiar conditions of the colony, these reports (not available in any one place) are as valuable as the despatches. See *Perth Gazette*, 15/11/34, 24/1/35. The pamphlet, *The Present State and Condition of Western Australia* (1839), is useful.

*Report on the Statistics of Western Australia* in 1840 (46 pp. plus xxx. pages of notes by the Colonial Committee of Correspondence).

Reports of the Western Australian Association, 1836, 1837.—General accounts, especially Bland on sheep, and Bull on agriculture.

Western Australian Company's pamphlets, esp. *Sketch of Western Australia and the Settlement of Australind* (1843, 181 pp.) and *Western Australia* (1842, 39 pp.).

Moore's *Ten Years in Western Australia* (1839, 1884).—Diary of the Attorney-General in the thirties; useful for changes of policy and inland development. Cp. article by Moore in *Quarterly Journal of Agriculture*, 1835, and appendix to *Journal of Agricultural and Horticultural Society of Western Australia*, 1862.

J. Cross' *Journals of Expeditions made in Western Australia*, 1829-32 (1833), for the opening of the country beyond the ranges. Good map.

Secondary accounts are in J. Gooch's *Important Information Concerning the New Settlement on the Swan River* (1829; 70 pp. of documents regarding Stirling, Peel's terms, etc.); *A Geographical Description of Australasia* (1830; anon.); J. G. Powell's *The Narrative of a Journey to the Swan River* (1831); three series of *Letters from Swan River*, 1829-30 (useful accounts of the initial confusion); Irwin's *The State and Position of Western Australia* (1835; account by the Acting-Governor; disproves parts of Wakefield's *England and America*); N. Ogle's *The Colony of Western Australia* (1839; accounts of the Agricultural Society, the Western Australian Company, and a list of the grantees to 1837); Buckton's *Western Australia* (1840; documents and despatches of the mid-thirties, by the Secretary of the Western Australian Company); Gill's *Western Australia* (1842; chiefly for the documents regarding Australind); E. W. Lander's *The Bushman* (1847; especially for Australind and price—pp. 431-6).

#### V.—THE CHARTERED COMPANIES.

##### I.—The Australian Agricultural Company.

Reports, printed as pamphlets, 1824 on—annual to 1857, half-yearly after that date. The pamphlet, entitled *Plan* (1826; 55 pp.), describes



the general prospect. *Special Reports* were issued on important occasions, e.g., 21/7/25; 12/10/32 (Dangar's exploration); 5/12/34 (Parry's summary); 18/7/56 (changes of policy); 2/4/57 (investigation into affairs); and 13/2/77 (future plans).

Despatches of the Governor of New South Wales (MS. Mitchell Library). Incoming despatches of Bathurst, 13/7/24, 17/4/25, and 18/5/25, for plans; for the exchange proceedings, see Darling's suggestion of 28/12/28, Bourke's despatches of 17/9/32 (especially the enclosures and the MS. map summing up the conflict), and 6/5/33 (especially the correspondence in the five enclosures), and the final settlement in despatches of Murray (21/4/30), Goderich (23/3/33), and Stanley (6/11/33).

MS. reports of A. Cunningham to Company, 1824 (Mitchell Library).

Parry's MS. Journal, 23/12/29-1/11/34 (Mitchell Library).—The basic source, especially for the first establishment, the explorations and the grant negotiations. Three large vols.

For the first mistakes, see Dawson's *Statement of Services* (1829, 165 pp.—a plea); Mudie's (?) *The Affairs of the A.A. Company* (1833); and especially J. Macarthur's report, printed as an appendix to Dawson.

For general history, see—

Gregson's *Fifty Years of the A.A. Company* (1906, 332 pp.).—To 1872; well-told from the company's records, but has nothing on the exchange, and little on the tenantry.

J. F. Campbell's *The First Decade of the A.A. Company*, in J.A.H.S., v. 9, 1923, pp. 113-160 (especially for the maps).

Accounts of the company's properties are in *Maitland Mercury* articles, 1895; pamphlet on *The Gloucester Estate* (1904); articles in *Daily Telegraph* (Sydney), 1904, esp. 6/8/04 and 4/10/04; *Sydney's Emigrant's Journal*, ser. 2, 1850; and *Strzelecki*.

## II.—The Van Diemen's Land Company.

- (1) At the V.D.L. Company's Office in Burnie, Tasmania, are the following MSS., the most complete and most accessible of any series in Australia, examined through the courtesy of the manager (Mr. A. K. McGaw):—

Outgoing despatches to the Court of Proprietors, 11/3/26-13/10/59 (very voluminous to 1842).

Incoming despatches to Local Agent, 21/9/25-end of 1869 (enclosed is correspondence with Colonial Office).

Correspondence of the Company with the Colonial Secretary in the colony.—Shows the interaction with the Government.

Parcels of letters concerning roads, convicts, police (1831-40).

Minutes of Local Council, 1826-42 (esp. the quarterly reports).

General Order Book, 9/3/26-13/4/44 (valuable for instructions to exploring parties and conditions in the thirties).

- (2) In the Chief Secretary's Office, Hobart, are the Governor's despatches and enclosures, especially the analysis in Arthur's despatch of 15/11/26. Fully referred to in footnotes.
- (3) In the Mitchell Library is Jorgenson's MS. Journal, 1826.—Most important from the point of view of exploration in the N.W.
- (4) Commons paper 303A of 1825 gives the correspondence of that year.
- (5) Annual reports, 7/3/26 on (all save the first printed as pamphlets). See especially those of 1828, 1833 and 1844 for maps.
- (6) Accounts of the Company are in *Cornwall Chronicle*, esp. 1844; *British Magazine*, 1/8/32; Bischoff (1832), and Boucher (1859). The best account is in the MS. report of Backhouse and Walker, in Arthur's despatch of 18/3/33 (in Chief Secretary's Office, Hobart).

The records of both of these Companies afford a prolific field for research in connection with the management of frontier provinces and the manner in which the Governments coped with new problems.

## PART II.—WAKEFIELD.

### CHAPTER 7.—WAKEFIELD.

For details, see R. C. Mills' *The Colonisation of Australia*, 1829-42 (1915), pp. 341-9. This is throughout the best treatment of the subject. See pp. 346-7 for a list of works by Wakefield, and add thereto articles in the *Literary Gazette*, 20/10/31, and the *Colonial Gazette*, 1/3/41, and, in particular, the pamphlet, *Hutt Bridge Speech* (1853).



Other primary sources are Hutt's *Emigration and Colonisation* (1830)—for the Colonisation Society; the *Colonial Gazette* (1839-47); the *Spectator* (1829 on, esp. the articles by P., 1830-1); *South Australian Record* (1837 on, for excerpts on the Wakefield plan); Hansard, 1831-43, esp. v. ii. (1831), v. lvii. (1841) and v. lviii. (1843); R. Torrens' *Colonisation of South Australia* (1835, 1836; the second edition has an appendix by Mann; both attack the *Westminster Review*); C. J. Napier's *Colonisation, Particularly in South Australia* (1835; good account of arrival at a "just" price).

Criticisms of the theory are in A. Siegfried's *E. G. Wakefield et sa doctrine de la colonisation systématique* (1904; a balanced estimate); Leroy-Beaulieu's *La Colonisation chez les peuples modernes* (1891; criticises what he deems to be the Wakefield theory, but what is in reality the popular idea of it); Merivale's *Lectures on Colonisation* (1861) and Mill's *Principles of Political Economy* (3rd edn.)—both criticisms from an economic point of view; attacks in *Times*, *Westminster Review* (Oct., 1834, July, 1835), *Edinburgh Review*, *Quarterly Review*, and especially the *Eclectic Review* for March, 1835. Roebuck's *Colonies of England* (1849) and MS. letter (Mitchell Library) of Mitchell-Murray, 2/11/42, give suggestive points.

For Wakefield's life, see Garnett's biography (1897; but poor in its analysis), and for the general relation to the wider colonial problems, see *Selected Speeches of Sir W. Molesworth* (ed. Egerton, 1903)—cp. Fawcett's biography, 1901.

## CHAPTER 8.—SALES.

Primary sources are:—

Accounts and Papers—1832 return *re* lands and 1836 Select Committee on the Disposal of Waste Lands in the Colonies, especially the evidence of Wakefield, Whitmore, Torrens, Scrope.

MSS. received by Mitchell Library from Lands Department—30 bundles of correspondence between the Treasury and the Surveyor-General *re* land sales, 1840-56. Cp. bound Lands MSS.

Governor's MS. despatches, N.S.W. and V.D.L., especially the recommendations of the C.L. and E.C. after 1840.

Votes and Proc. of Legislative Council of N.S.W. (1832 on, especially the Committees on Immigration, the Land Sales Act, Land Grievances, etc., 1835-49, *passim*; and the collected documents in 1847, v. I and 1844, v. I).

Reports of C.L. and E.C., 1840-1873.

Documents in N.S.W. *Government Gazette*, 1832 on, and in T. Callaghan's *Acts and Ordinances of the Governor and Council of N.S.W.*

Newspapers, especially *Sydney Gazette*; *Sydney Herald*, 1831 on; *Colonist* (Sydney), 1835-40—opposition to Bourke; *Atlas*, 1844-48 (Lowe's paper—the most literary of all, and the leader in attacking Gipps); *Colonial Observer* (Sydney), 1841-42.

Secondary points are in *Journal of Agriculture*, 1830 on; accounts of N.S.W. by E. S. Hall (1832); J. Busby (1832); J. Macarthur (1837—especially appendices); J. Lhotsky (1835) and Mudie (1836) for opposition; G. Bennet (1834) and J. Pattison (1849). J. D. Lang's works, from 1835 on, contain frequent new points, while the *N.S.W. Calendar* (especially the article by Wilton in 1834) and a pamphlet (1840) on the division of the territory (especially map) are suggestive. Lord Grey's *Colonial Policy of the Administration of Lord John Russell* (1853) gives the Imperial point of view.

## CHAPTER 9.—CONVICTS.

Primary sources are:—

Despatches, especially Wilmot's in V.D.L.; Bigge's First Report; Parly. Papers of 1798 (28th report of Committee on Finance *re* cost), 1812 (Report of Committee, especially the evidence of Hunter, Bligh, and Flinders), and, for the 1837-8 Committee on Transportation, v. 19 of 1837, and v. 22 of 1838 (chiefly the report, the evidence of Parry and Mitchell, and the appendix for colored labor and the financial aspect of transportation); Port Macquarie MSS. and newspapers above.

Less important accounts are in pamphlet by P. Macqueen; H. S. Bennet's *Letter to Lord Sidmouth on the Transportation Laws* (1829); E. F. du Cane's *Convict System in the Colonies* (1820); C. Eagar's *Letters to the Rt. Hon. E. Peel on the advantage of N.S.W. and V.D.L. as penal settlements* (1824); and sections in Pilorgerie's *Histoire de Botany Bay* (1839).

For later stages, see articles in *N.S.W. Magazine* (1833); *Edinburgh Review* (1846) and *Quarterly Review* (1847); W. Bland's *Letter from the Australian Patriotic Association to C. Buller* (1843)—urges continuance; pamphlets by G. C. Mackenzie (1836) and W. Williams (two in 1834). Also *Colonist in Australien* (1839).

General estimates of the system are in Péron, Blosseville (1837), and Freycinet; R. R. Torrens' *Transportation considered as a mode of punishment and as a mode of founding colonies* (1863); H. Reeve's *Australia and the Penal Colonies* (1837); G. Combe's *Penal Colonies* (1845); Laplace's *Considerations sur le système de colonisation libre ou pénitentiaire suivi par les Anglais*; and J. B. Atkinson's *Penal Settlements and their Evils* (1847).

#### CHAPTER 10.—EMIGRATION.

Primary.—Committees of Commons, 1826 (vague); 1827 (Malthusian). Committees of N.S.W. Council on Immigration, 1835, 1837, 1839, 1840, 1841, 1843, 1845.

Committees of V.D.L. Council in MS. despatches.

Wood's MSS. (Mitchell Lib.)—by an emigration commissioner.

Immigration Papers (MSS., Mitchell Library), especially *re* colored and German emigrants.

Correspondence in Acc. and P. (1840, v. 5; 1846, 1st sess., v. 17); and newspapers and reports of C.L. and E.C., above.

Secondary matters are touched in Lang's pamphlets (especially *Immigration and the Scotch Mechanics of 1831* (n.d.) and *Narrative of Proceedings* (1850)); articles in *N.S.W. Magazine*, 1834; *Aust. Magazine*, 1838; and *Australian Quarterly Journal*, 1828; *S.A. Colonist*, April, 1840 (excellent); *N.Z. Journal*, 1840, 1849; *Politician*, April-May, 1851 (Mort's scheme).

Pamphlets by J. Morphett (1835), J. Marshall (1841), T.J. (on direct remission) (1848, 1854), and anon. on *Emigration: its necessity and advantages* (1840, 1841), are worth notice.

For later stages, see J. D. Lang's *Immigration* (1870); résumé in 1918 report of N.S.W. Dept. of Labor and Industry; H. Martel's *Guide générale des émigrants* (1899); and articles in Proc. of Royal Colonial Institute 1908-9, pp. 314-40, and *Round Table*, November, 1921.

#### CHAPTER 11.—SOUTH AUSTRALIA.

##### MSS. Sources.—

John Brown's Diary, 1834-6—the best account from the Act onwards. Has several new facts about the internal relations of the promoters (especially Franklin, Gouger and Napier), and, in particular, regarding the return of Wakefield to the venture in 1836. The whole forms a substantial addition to our knowledge of the genesis of S.A., and, in addition, gives the best description of the initial chaos. Brown was an understudy to Gouger and a Commissioner of Immigration.

S.A. MSS., 1834-59—additional diaries of Brown and reports to Wakefield, especially 10/4/37. Much information on the attitude of the colonists, the survey question and the first selection.

S.A. Papers—notices and pamphlets to show successive stages.

Frew Papers, on S.A. to 1842. Cp. Piper Papers, v. 2, p. 201.

##### Other primary accounts are in

Accounts and Papers (especially 1840, v. 33—sales; 1841, sess. I., all of v. 4, for Select Committee, and v. 17, for all correspondence prior to 1841; 1843, v. 32—Grey's papers; 144, v. 34 and 1845, v. 31—land fund).

Reports of Colonisation Commissioners (1836-40) and C. L. and E.C.

Annual Reports of S.A. Company 1836-49 (Cp. Sutherland's account).

The elaborate newspaper literature, especially *S.A. Record*, 8/11/37 on (especially for German activities); *S.A. Register*, 18/6/36 on (especially the series, 13/2—7/4/51); *S.A. News*, 15/6/41 on (especially letters starting in June, 1841); *S. Australian*, *Southern Australian*, *Adelaide Observer*, *Adelaide Chronicler*, and *Adelaide Examiner*.

Documents are in Gouger's *Founding of S.A.*, *S.A. Government Gazette*, 1841 on; and *S.A. Almanack*, 1844 on.

Later histories include Mills (especially ch. 5-8, the best account); Hodder (1893)—largely based on the Angas Papers; W. Oldham's *The Land Policy of S.A.*, 1830-42 (1917), for documents; and, for

- exploration, G. Williams (1919) to 1856, and B. Threadgill (1982) to 1880. *The Foundation and Settlement of S.A.*, by A. G. Price (1924) stresses the geographic factors.
- Contemporary accounts are in works by Capper (1837—letters); J. H. James (1838—land complaints); J. Stephens (1839—Morphett's diary); R. J. Jamieson (1842); Bennett (1843); Dutton (1846—especially the settlement of various districts and the chapter on the pastoral industry); *Light* (journal of the Surveyor-General; cp. biography by Stuart).
- Pamphlets by J. G. Johnston (1839), *The Great South Land* (1838); J. H. Croucher (1844), *Secondary Towns' Association* (1843); and anon. on S.A. (1841—27 pp. on Colon. Commissioners; 1842—32 pp. on land).
- Reminiscences by Bull (1883—for the Northern runs); W. Mann (1889); R. Harrison (1862); G. Hamilton (1880); J. E. Hawker (1899—for surveys); M. Thomas (diary, 1836 on); Watts (1882); and Allen (1906) are good in portions, especially for the confusion of the early years.
- Articles in *S.A. Magazine*, 1841-2, and *N.S.W. Magazine*, 1843, are useful.
- For the German activities, see J. P. D. Dieseldorf's *Wegweiser nach Süd-Australien* (1849) and A. Heising's *Die Deutschen in Australien* (1853—77 pp.). This aspect needs further study for S.A. and Queensland.

## PART III.—SQUATTING.

## CHAPTER 13.—SQUATTING.

For the genesis of the wool industry, see H.R.A., v. I., vol. 5; Hist. Rec. of N.S.W., v. 5; Onslow's *The Early Records of the Macarthurs of Camden* (1914—from the Camden archives); Gardiner and Riley Papers (Mitchell Library); Burfitt's *Wool Industry of Australia* (1908, enlarged 1913); S. R. Nicholls' *Notes on Sheep and Wool in N.S.W.* (1787-1825—collected articles in Mitchell Library); Bonwick's *Romance of the Wool Trade* (1887); McIvor's *History of Sheep Farming* (1893, especially first chapters); *Australian Pastoralist's Review*, 1895.

For the squatter's tracks, see

N.S.W.—

For the Hunter, Dangar (1827) above. For the Macleay, M'Maugh MSS. (Mitchell L.) and MS. history by *Labori* (Rudder). For New England, see Gardiner MSS. (the basis)—used by Campbell in J.A.H.S., 1922; *The Land of the Beardies* (1922); T. W. Comyns' *Walcha District* (1911); and articles by Norton in Proc. of Royal Soc. of Q., 1902, 1904. For the south of Sydney, see primarily Gormly's *Exploration and Settlement in Australia* (1922; 82 articles in *Wagga Wagga Express*, 1915-6; series in *Sydney Mail*, 1909; and *Australian Settler*, 31/8/06—80 years in the Riverina. Series by Morey in *Sydney Mail* (1909—on lower Lachlan), Yeo, in *Yass Evening Tribune* 1920-1—on the Murrumbidgee, and by Baylis, in *Wagga Wagga Express*, April, 1914, are good. For the far west, see the invaluable Hobler MSS., supplemented by Nichols above.

## VICTORIA.—

See *Letters from Victorian Pioneers* (1898, answers to Latrobe, 1853—the root source); Mollison MSS (Vict. Hist. Soc.—for center); Vict. Hist. Magazine, 1911 on (Kenyon on the Mallee; Andrews on the Upper Murray—printed separately, 1920; Ross on the West; Grieg on Gippsland); Brodribb's *Recollections of an Australian Squatter* (1883—for W. Gippsland); J. C. Hamilton's *Early Days in W. Victoria* (1913).

## QUEENSLAND.—

Accounts in Russell's *Genesis of Queensland* (by one of the first); E. Palmer's *Early Days in N. Queensland* (1903—for the Flinders); N. Bartley's *Australian Pioneers and Reminiscences* (1896); G. Loyau's *History of Marlborough* (for Wide Bay and Burnett); and articles in journals of Queensland branch of Geog. Society, 1902 (Norton on Downs; cp. Royal Society, 1908); Q. Hist. Soc., 1919 (Rockhampton), 1922 (N.W.); and Royal Geog. Soc. (London, 1860-1—for Burdekin; cp. pamphlet of 1860—40 pp.).



## SOUTH AUSTRALIA.—

For the North, see Proc. of Royal Society, 1909. Bull (above); E. Lloyd (1849); and Proc. of Geog. Soc. of S.A., 1919-20, for South-East—cp. E. Ward's *The S.E. District of S.A.* (1869).

## CHAPTER 14.—THE SQUATTING LIFE.

Most important here are the manuscripts.

For conditions before the rush of 1835, see Riley Papers, Hogan Papers (1830-4) and Suttor's Diary (1831-40).

For later stages—

Lloyd Papers—valuable for Liverpool Plains and improved stock.

Nisbet Papers—*Pioneering Days in N. Queensland*—conditions on the Dawson and lower Thompson; memo. by Gregson on methods.

Grant Papers—*Early Station Life in Queensland*—for occupation of the North.

Wright Papers—for run at time of change to fences, esp. for station incidents such as droving and mustering.

Roderick Mitchell Papers—conditions on the Barwon and Gwydir.

Holt MSS., 1844 on—overlanding.

Hobler Papers—for first settlement on Darling; the best human document for the life of the outside squatter.

MSS. accounts of runs in Melbourne Lands Dept., now being used as the basis of an intensive survey by Mr. A. S. Kenyon.

Printed works on this important topic include *Three Years' Experience of a Settler in N.S.W.* (Waugh) (?), 1838; A. Caswall (1843); A. Harris (1847, 1852); H. W. Hoggarth (1848); C. P. Hodgson (1846); C. W. Brown's *Overlanding in Aust.* (n.d.—excellent); C. S. Mundy (1852, German 1856); C. Büchele's *Australien in der Gegenwart* (1856); W. Hughes' *Englands Australische Kolonien* (1855, esp. ch. 11, 21); F. H. Ungewitter's *Weltteil Australien* (1853) and *Australie en zigne bewones* (1854); H. de Castelle's *Les Squatters Australiens* (1861; German 1863—esp. ch. 17, 20); F. Muller's *Neunzehn Jahre in Australien* (1877); Améro's *Les Squatters dans l'Australie Nouvelle* (n.d.) and section in Beauvoir's *Australie* (1873)—for the new order of things (the latter in particular shows the hardships, summing up (*"L'inconstance est la loi du temps en Australie"*)). Good accounts by individuals are in R. D. Barton, esp. ch. 2, 11, 21 (opposition to the land law); Fethersonhaugh (1917); R. Boldrewood's *Old Melbourne Memories* (1896—for search of 1844); Curr (1833—valuable for forties); *Gentleman's Magazine*, 1879 (for change); J. Lewis (1922—for central Australia); de Satgé (1901—for Downs); C. MacAlister (1907—south of N.S.W.); T. Major (1900). Sections in Ranken's *Dominion of Australia* (1874), Trollope's *Aust. and N.Z.* (1873), and various articles in the *Pastoralists' Review* and *Dalgety's Monthly Review* (esp. for May, 1896) are useful, while the descriptions in the *Pastoral Homes of Australia* (1910-4) are often historical and show the results of the early squatting efforts.

## CHAPTER 15.—THE SQUATTERS AND THE GOVERNMENT.

Same authorities as for ch. 8, esp. Votes and Proc., N.S.W., 1844-47.

## CHAPTER 16.—PORT PHILLIP.

For the early settlements, see Hist. Records of Aust. and N.S.W., and Victorian Paper C15 of 1878 (Grimes and Collins). Also Tuckey's account.

For Mitchell's expedition, see his *Three Expeditions into the Interior of E. Australia*; *Tasmanian Journal of Natural Science*, v. 3, 1846-9; supplement to *N.S.W. Govt. Gazette*, 5/11/36; *Blackwood's Magazine*, 1839.

For the actual settlement, see the following MSS.:—

Port Phillip Papers (Mitchell Lib.)—to show rivalry within the Association; valuable pencil plans by Wedge. Cp. Wedge's MS. Diary and Letter Books (1824-43—Mitchell Lib.) and Port Phillip Papers (Melbourne Public Lib., esp. for Todd).

Letter books of Lonsdale and Latrobe in Chief Secretary's Office, Melbourne.

Governor's despatches (Melb. Public Library), 1835, 1851-60.

City Council Correspondence (Melb.)—to show relations to State.

Tyers Papers (Mitchell Lib.)—letter books and accounts of Gippsland.

W. Greig's *Farm Day Book*, 1840-1 (Mitchell Lib.)—for early conditions.

Diary of Gisborne, the first C. of C.L., in office of Commissioner of Police, Melbourne.



Documents are in Bonwick's *Discovery and Settlement of P.P.* (1856) and especially *P.P. Settlement* (1883) and in appx. to 1836 Committee of Commons on Colonial Lands. The files of the *Hobart Town Courier*, the *Cornwall Chronicle*, the *P.P. Gazette* (27/10/38 on), the *P.P. Patriot* (6/2/39 on), the *Herald* (3/1/40) and the *Argus* (1847) are full of facts; while a *résumé* of the whole situation is in New South Wales Votes and Proc., 1849, v. 1.

The histories of Labillière (1878) and G. Turner (1904—neglects land matters) are very full, while secondary accounts useful for special points include C. Griffith (1845, especially ch. 3-4, for a criticism of concentration); Howitt (1845 on), Haydon (1846), Arden (1840, 1841), Clutterbuck (1849), R. Horne (1859—especially ch. 4 and appx. E), Lang (1847, 1853—personal visit to outlying lands), Westgarth (several statistical accounts from 1845 on), and pamphlets by Mercer (1836), Batman (1856) Clarke (1867), Mackillop and Pym (1839).

#### CHAPTER 17.—THE SQUATTER'S RIGHTS.—See footnotes.

#### PARTS III. AND IV.—1855-1920.

#### GENERAL ACCOUNTS—1850 on.

The chief histories are by Rusden (3 v., 1888), Jenks (1895), Wyatt Tilby, Jose (1909), and Scott (1916), all touching land matters. Epps' *Land Systems of Australasia* (1894) is a short monograph, giving the text of the various systems, but little comment and no inquiry into their operation. The detailed works of T. Coghlan, especially *Labour and Industry in Australia* (4 vols., 1918 on) consider each State separately, but devote little space to a consideration of the causes of each change. The statistics in Coghlan and Ewing's *Progress of Australia in the Nineteenth Century* are valuable, as are those in the Commonwealth Year Books, 1907 on, and the annual Production Bulletins of the Commonwealth, 1906 on. For the rest, special points are touched in:—

F. Kottenkamp's *Auswanderung nach Australien* (1851—land laws in full).

F. Lancelot's *Australia As It Is* (1852) and F. Eldershaw's *Australia As It Really Is* (1854). Cp. with these, J. J. Roy's *Australie* (1855) and D. Fusely's *Rise and Progress of Australia* (1857).

Accounts of conditions in the sixties are in T. Lahuppe's *Notes sur l'Australie* (1865—especially squatting), S. Morhange's *Etude sur l'Australie* (1862-9), Froude (1866), F. Odenheimer's *Das Festland Australien* (1861), and F. Christmann's *Australien* (1870, enlarged in 1890)—all valuable because of the outside viewpoint at a moment when the colonies were in the midst of the struggle with the squatters.

The pastoral side is stressed, too, in P. Picrocholle's *Lettres sur l'Australie* (1888), K. E. Jung's *Weltteil Australien* (1883) and *Australien und Neuseeland*; L. Simonin—long article in *Revue des deux Mondes* (1885); R. G. Anrep-Elmpt's *Australien* (1886—an exhaustive account of over 1000 pages), M. la Meslée's *L'Australie Nouvelle* (1883—also account of operation of land laws, by employee of Lands Department), F. Journet's *L'Australie* (1885—also chapters on colored labor and agriculture), C. Lemine's *En Australie* (1885), E. Montegut's *L'Angleterre et ses Colonies Australes* (1880—valuable comments on South Australia), and W. Krause's *Australien* (1897). More noticeable is the scientific analysis in Leroy-Beaulieu's *Les Nouvelles Sociétés Anglo-Saxonnes* (1901)—the best single comments on squatting and the tendency of recent land legislation in Australia.

For convenient descriptions of affairs in this century, see Federal Handbook on Australia (1914) and the various States, and Brady's *Australia Unlimited* (1918). Outside criticisms in

A. Manes' *Der Soziale Erdteil: Studienfahrt eines National ökonomen durch Australasien*, and, still better, *Ins Land der sozialen Wunder* (1911—especially ch. 18). Cp. with this the elaborate work by R. Schachner's *Australien in Politik, Wirtschaft, Kultur* (2 vols., 1909—11).

Biard d'Aunet's *L'Aurore Australe* (1907)—especially p. 259 et seq., for Australia's policy re sheep. An account by an ex-consul, praised for "son sens critique" and "admirable impartialité." Contrast the viewpoint with the more heavy works above.

P. Maistre's *Commonwealth d'Australie* (1913).

A collection, *Australian Economic and Political Studies* (ed. Atkinson, 1920) has a section on land laws, and is useful for statistics.

## CHAPTER 19.—NEW SOUTH WALES.

### OFFICIAL.

Votes and Proceedings, with Papers of Parlt., especially 154A of 1894-5, 27A of 1891, and C49A of 1922 (future policy).

Debates, 1876 on.

Reports on Crown Lands, annual from 1880.

Reports of Committees (not mentioned above), especially 1883 (with separate volume of maps) and 1920-22 reports on Agricultural Industry (738 pp. and maps, in addition to interim reports—the best account of Australian agriculture and irrigation).

Statistical Publications, especially Statistical Bulletin (monthly, 1906-1920, then quarterly), Statesman's Year Book of New South Wales (1913 on), Statistical Register, 1845 to date; Statistical View of the Progress of New South Wales during 50 years, 1856-1906; Year Book, annual, especially the 1923 edition, for a general discussion on agriculture.

Publications of Lands Department, especially synopses of land laws (1858 on) and booklets on *The New Land Policy* (1904), *The New Land Tenure* (1906), *The Dorrigo* (1906—to show reclamation of useless land), and *How to acquire lands in New South Wales* (1908 on).

Publications of Agricultural Department, especially annual reports, 1891 on; *Agricultural Gazette*; series of farmers' bulletins, e.g., *Lessons of the Drought* (1903); Science Bulletins, especially *Wheat Improvement in Australia* (1914).

### PRIVATE.

Papers and periodicals, especially *Sydney Morning Herald* (conservative), *Daily Telegraph*, *Empire* (1850-66—liberal journal, for a time under Parkes), *Town and Country Journal* (1870 on).

Journal of Royal Agricultural Society of New South Wales (1868-78).

Articles in *The Month* (1858), Trans. of Royal Soc. of New South Wales (1872, 1882—statistical), series in *Sydney Morning Herald* (1876—grazing) and in *Le Tour du Monde*, 1910-11, pp. 541-639 (maps)—by the expert, P. Privat-Deschanel, *En Australie: la Nouvelle Galles du Sud*.

Sections in C. Robinson's *Progress and Resources of New South Wales*, W. H. Bailey's *New South Wales for the Farmers* (1888), unpublished papers for the information of Parkes (1882), Coghlan's *Quarante années des progrès de la Nouvelle Galles du Sud*, E. Greville's *New South Wales Statistics, History and Resources* (1900), E. J. Sievers' *New South Wales* (1906—history of land settlement) and in the *Cyclopaedia of New South Wales* (1905) are useful. Handbooks to the land law by Brierly and Irish (1906, elaborated in 1914) and R. Kaleski (1910) are dependable.

Land practice may be seen in the reports of the Land Appeal Court, easily accessible by Pike's Digest (1890-1905) and Mullins' continuation (1912-20).

## CHAPTER 20.—VICTORIA.

### OFFICIAL.

Votes and Proceedings, with Papers, 1856 on, especially reports of Select Committees, e.g., papers 65 of 1878 and 72 of 1879-80; 1909 Commission on Bent Land Purchases; 1915 Commission on Closer Settlement (final report, November, 1918).

Debates, 1851 on.

Statistics, especially Statistical Register, annual to 1916; Agricultural and Live Stock Statistics, 1857 on; Year Book, 1873 on, especially divisional figures of agricultural changes.

Publications of Lands Department, especially reports of proceedings under the 1862 Act, periodical to 1872; annual reports, 1873 on; *The Lands Circular*, 1862 (organ of the Department); pamphlets and leaflets periodically, especially *The residence and cultivation licenses* (1861), *Brief report on the land system of Victoria* (Moore), *Duffy's Guide to the land law of Victoria* (1862), and the elaborate county maps in 1878 and 1884.

Publications of Department of Agriculture, especially annual reports from 1873, *Journal of Agriculture* (frequently general articles, as in the special issue of 25/4/17, and the series of articles by Richardson in

1918), Bulletins, 1888 on (reports on sugar, wheat, conditions elsewhere, etc.), booklets (1898—202 pp. and map; 1909—296 pp.).

Reports on Land Purchase and Management.

#### PRIVATE.

Goyder's report in S.A. Parliamentary Papers, No. 29 of 1870-1.

Newspapers, especially *Age* (liberal—a powerful agency in the struggles of the sixties), *Argus* (conservative; index since 1910). The *Age Annual* (1874-1894) was a useful summary.

For the early stages, the Trans. of the P.P. Farmers' Society (1856-60) and the annual reports of the V. Agricultural Board (1860-75) are good. The condition at this time is explained in W. Story's *Essay upon the Agriculture of V.*, in *V. Prize Essays* (1860—pp. 53-208).

Of the pamphlets (more numerous in V. than elsewhere), the following stand out—by C. Campbell (1861—a moderate squatter), C. Macknight (1855—on the Squatting Commission), Pastoral Protection Society (1856—able, but extreme), Melbourne Chamber of Commerce (1855—for agriculture), F. Coster (1856), F. Vines (1856) and S. Wekey (1854—all for selection), "Old Colonist" (1856—practical), "Moderation" (1860—squatting attack on new Bill), N. Pollard (1861—homesteading), A. Michie (1860—summary), and "*Junius Secundus*" (1871—on changed position).

Pratt's *David Syme* discusses the crucial period; while the full reports of *Fenton v. Skinner* (1861—license), *Myles v. Macdonald* (1869), and *Reg. v. Taylor and Curtis* (1869) afford the most luminous commentaries on the land situation, the two latter in regard to dummieing and the power of the Executive.

Booklets by Bent and Quick sum up matters of tenure.

### CHAPTER 21.—QUEENSLAND.

#### OFFICIAL.

Governor's despatches, 1820-60 (MS., Mitchell Lib.)

Votes and Proc., 1860—date, especially the Select Committees, e.g., 1892 committee on "the various schemes for assisting land settlement," and the 1897 Royal Commission on land settlement.

Statistics, especially Weedon's summary to 1897 (503 pp.), Statistical Register, 1860 on; Year Book, 1901 only.

Debates, 1864 on.

Publications of Lands Department, especially annual reports, 1862 on: *Selector's Guide* (1883—a comprehensive book, with county maps); *Progress and Development of Land Settlement in Queensland* (1896, especially for Downs); *North Queensland* (56 pp., n.d.); *North Queensland* (1908, maps); *Darling Downs and Central Queensland* (1908); *Maranoa District* (1916); and booklets on the cattle industry (1913); the sugar industry (1913); and the wool industry (1918).

Crown Lands Law Reports, 1859-1919—digest by W. Wilson and others.

Publications of Department of Agriculture, especially annual reports, 1899 on; *Agricultural Journal* and *Bulletins*, especially No. 22.

#### PRIVATE.

Pugh's Almanac, 1859 to date, especially the history in the 1871, and the stock summary in the 1884 edition.

Newspapers, especially the *Courier* (1846 on), the *Queensland Times* (Ipswich—for the provincial point of view), the *Toowoomba Chronicle* (especially June, 1877).

The best general account of Queensland is in *Queensland: Our First Half Century* (1909—excellent articles on the primary industries). There are histories by Coote (1882—long account of events to separation), Knight (based largely on Coote, but prints Campbell's diary), Morrison (1888). The works of Bernays (*Jnl. of Queensland Hist. Soc.*, v. 1, 1918, *Queensland Politics during Sixty Years*, 1919) are handy for reference.

Secondary accounts are in *Australian Quarterly Journal* (1828), Russell's *Genesis of Queensland* (racy account by a pioneer; prints Cunningham's *Journal* and Leslie's *Diary*); E. Kennedy's *Four Years in Queensland* (1870—for squatting), A. Morgan's *Discovery and Early Development of the Darling Downs* (also *Queensland Geog. Jnl.*, 1902, pp. 87-116, and *Queensland Country Life*, 12/1/01); G. Wight's *Queensland* (1862-3—3 edns.). Cp., Accounts by H. Jordan (1864), E. Marjoribanks (1865), E. Marcet (*Notice sur la province de Queensland*, 1861) and R. Daintree (1871, especially for illustrations). Lang's *Cookland* (1847) and *Queensland* (1861) give accounts of the squatting districts, especially



ch. 8 of the latter. Bowen's *Thirty Years of Colonial Government* is useful for the frankly-expressed opinions of the first Governor. Valuable handbooks of Queensland were issued by Gordon (1886), J. P. Thompson (1897, 1904), A. Meston (1895) and R. Newton (1897—especially for the Downs).

Articles in Jnl. of Royal Geog. Soc. (London), v. 35, 1865 (North Queensland) and Proc. of Royal Society of Queensland, v. 19, 1904 (Norton) are good. So, too, are those of the few numbers of the Jnl. of the Queensland Hist. Soc., especially that on Henry (Cp. Mitchell Library's MS.).

Pamphlets issued by the Agent-General, especially in 1863, 1873-4, and 1886 are useful summaries, as is the *Settler's Guide* (Brown), 1914.

Good accounts of the interior are in H. von Lippa's *Oben und Unten* (1912) and in *Central, West and North Queensland To-day* (Harrisson Printing Co., 1914—maps).

Early conditions are summarised in Corfield's *Reminiscences of Queensland* (1921—elaborated from the Jnl. of the Queensland Hist. Soc.).

## CHAPTER 22.—SOUTH AUSTRALIA.

### OFFICIAL.

Votes and Proc., 1851 on (indices, 1851-64, 1857-67, 1867-73).

Debates, 1858 on.

Statistics, especially Statistical Register, 1859 on (especially the graph in 1916-7); Year Book, 1912-3; Blue Book, to date; Statistical Summary, 1836-1910; Statesman's Year Book, 1917 on.

Publications of Lands Department, especially annual reports (*the best maps in Australia*; note in particular Goyder's Line and the districts outside, in the 1902 report); plans by the Surveyor-General (1872-3—most detailed); Report on the Disposal of Crown Lands in South Australia, 1890 (comprehensive history from the commencement); pamphlets by Duffield (1905) and E. Smith (1911).

Publications of the Department of Agriculture, especially annual reports from 1889; Journal of Agriculture; Bulletins; W. L. Summers' *Notes on Agriculture in South Australia* (for wheat belt and the North).

Reports of Inspector of Homestead Blocks.

### PRIVATE.

Newspapers, especially *Register*, *Advertiser*, and, in particular, the penetrating commentaries of the German press, e.g., *Deutsche Australische Zeitung* (Tanunda).

General handbooks are by W. Marcus (1873), A. Forster (1866—excellent account of politics and comparison of land politics with Victoria), Stow (1883, 1884—good historical criticism), J. Connigrave (1886—section by Linden on squatting). An earlier account is in W. Jessop's *Flindersland and Sturt's Land* (1862); while special aspects are developed in the *Leader's* pamphlet (1874) on agriculture; the *Register's* booklet of 1880; (Sutherland) *Our Inheritance in the Hills* (1889—to show the folly of the rush to the north); and in F. W. Holder's *Our Pastoral Industry* (1892—62 suggestive pages by a squatter). Details in the Cyclopædia of South Australia (1902, especially v. 2) are good, as is a recent work, A. G. Price's *South Australians and Their Environment* (1921, maps), for the geographical side.

For general land policies, a Government pamphlet (1881) is useful, summing up all previous efforts. To buttress this, is the 1874 pamphlet, above, and a series in the *Australasian*, Oct., 1880-Jan., 1881.

## CHAPTER 23.—WESTERN AUSTRALIA.

### OFFICIAL.

Reports of C.L. and E.C. and Reports (annual) exhibiting the Past and Present State of Her Majesty's Colonial Possessions.

Govt. Gazette, 1836 on—reprinted despatches in the earlier years (general index, 1836-1890).

Accounts and Papers (Brit.), especially 1856, v. 17, and 1861, v. 13 (for committees on transportation, especially Roe's evidence). Also 1865, v. 13 (new lands).

Votes and Proc., 1872 on (changed in 1890 to "Proc. of Parlt. and Papers")—chiefly for committees.

Debates of Council, 1876-89; of Parlt., 1890 on.

Statistics, especially Statistical View of the Progress of Western Australia, 1829-1900; Year Book, 1888-1906 (especially maps and the historical review in the 1901-4 edition); Blue Book, annual; Statistical Register, to date.



Publications of Lands Department, especially annual reports; reports under Agricultural Lands Purchase Act; Selector's Guides—voluminous ones from 1897 on; *Western Australia and its Resources* (136 pp., 1901); *Western Australia for the Landless* (1906); *Lecture on the Agricultural Possibilities of Western Australia* (1904).

Publications of the Agricultural Department, chiefly annual reports, 1896 on; Producers' Gazette and Settlers' Record; Agricultural Journal (monthly); Bulletins, especially Despeissis on tropical agriculture; Publications of the Irrigation Division, especially Scott's Handbook, 1913.

Publications of the Forestry Department—for development of the S.E., especially reports and *Quelques aperçus sur les bois de l'Aust. Occidentale* (1918).

#### PRIVATE.

For struggle re land control, see footnotes, pp. 317-319.

For opening of country, see accounts by F. Gregory (1862), R. Austin (1854-5), A. McRae (1866), Lefroy and Hunt (1882), J. Martin (1863), and J. McD. Stuart (1860-1)—these deal with new pastoral lands.

Newspapers, especially *Perth Gazette* (changed to *Western Australian Times*, 1874-9, and *Western Australian*, 1879 on) and *Inquirer*, especially articles, October-November, 1898.

Secondary accounts are in A. Gaudin (French, 1869), W. H. Knight (1870), Favenc (1887), N. Hensmann (1889), Hart (1891 and enlarged editions), Calvert (several accounts from 1891), Chambers (1899), and *L'Australie Occidentale Illustré* (1900).

General histories are by Kimberley (1894) and Battye (unpublished, 1922)—both chronologies. Lovat's *Life of Weld* (1914) gives an account prior to Forrest's reorganisation.

Suggestive points are raised in Forrest's *Notes on Western Australia* (1886) and in W. N. Hedges' *Practical Scheme for Land Settlement in Western Australia* (1922).

#### CHAPTER 24.—TASMANIA.

##### OFFICIAL.

MSS. in Chief Secretary's Office, Hobart, including incoming and outgoing despatches to 1856 and administrative correspondence of Governors and officials.

Votes and Proc., 1837 on.

Accounts and Papers, especially 1856, v. 43, for new country.

Statistics, especially Hull's summary, 1816-65; Statistical Register, to date; Comptroller-General's reports to 1856.

Publications of Lands Department, e.g., annual reports (cp. the annual reports of the Closer Settlement Board, 1907 on, and of the Agricultural Bank); Crown Lands Guides, 1884 on, at intervals; *Abstract of the various land regulations in force since 1845* (1857—valuable comments); *Lands of Tasmania compiled from the official records* (1866).

##### PRIVATE.

Newspapers, especially *Cornwall Chronicle* (1835-80), *Courier* (Hobart, 1827-59), *Colonial Times* (1826-56), *Launceston Examiner* (for north), *Mercury*. These must be used for the Parliamentary Debates, which do not appear elsewhere.

Articles in the *Land Gazette* (1861) and the *Tasmanian Journal of Agriculture and Horticulture* (1859) are useful.

Calder MSS. (2 vol. in Melbourne Public Library, and 16 vol. in Mitchell Library) are documents of a surveyor-general in the central period.

Wood's *Tasmanian Almanack* (1837-57) and Walch's *Almanac*, to date.

General accounts are in J. Dixon (1839—attacks dilatory farming); Kentish (1845—for the opening of the N.W.); F. Boucher (1859—especially for the V.D.L. Company); G. Whiting (1862—estimate of resources); C. Buckler (1883); Sir E. Braddon (1889); T. Just (Official, 5 editions, 1883-92); and in Maitland and Krone's *Cyclopædia* (1901).

Particular aspects are touched in Franklin's narrative (1839—"my present act of self-defence"); Hull (1859—reminiscences of 40 years; cp. Hull MSS. in Mitchell Library); Fenton (1891—account of Devon).

General histories by West (1852, especially v. 2); Seavill (1888) and especially by Fenton. A partial biography was drawn up by J. Walker in 1884.

CHAPTERS 25-28.—See Footnotes and Above State Lists.

#### CHAPTER 29.—IRRIGATION. (In addition to Footnotes.)

Reports of New South Wales Commission on Water Conservation (1886 on);

Victorian Rivers and Water Supply Commission; Commonwealth reports on Murray River Waters Act, 1917-8 on; interstate commissions on Murray Waters; interstate conferences on artesian waters (1912, 1914, 1921).

Deakin's report of 1885 (cp. his article in Victorian Year Book, 1893) is the basis. Cp. McColl's report (Commonwealth paper 40 of 1909) and article in Proc. of New South Wales Royal Society, 1903, cxcix. on.

Fundamental points are raised in—

- (1) H. C. Russell's *The River Darling and the Water Which Should Pass Through It*, in Jnl. of Royal Soc. of New South Wales, 1879, p. 169—the start *re* artesian water.
- (2) R. McKay, paper of August, 1903, before the Sydney Univ. Engineer-Soc., reprinted—on limits of catchment area of Murray.
- (3) P. Privat-Deschanel, valuable series in *Annales de Géographie*, v. 17, 1908, especially p. 3111—carrying McKay's idea still further. The conclusion is that "*l'irrigation, pour utile qu'elle soit, ne modifiera pas sensiblement les conditions agricoles et pastorales de l'intérieur, conditions naturelles et impératives.*"

Less important articles are in Proc. of Queensland Geog. Soc., v. 11, 1895-6 (Cox); Agric. Gazette of New South Wales, August, 1904, March, 1905, June-August, 1906; Jnl. of Royal Soc. of New South Wales, 1893, 1901, 1903; *Revue Française de l'Etranger et des Colonies*, 1906 (Barre); *Deutsche Rundschau für Geographie* (1902, Jung); Proc. of Royal Col. Inst., 1908, pp. 421-50 (Coghlan on possibilities); Handbook of New South Wales, 1914; Royal Agric. Society, Annual, 1909, 1913.

The following works touch particular aspects:—F. J. Horne's report on New South Wales (1897); (cp. Boulthée's report, 1901); W. G. Cox's *Irrigation* (1906); J. E. M. Vincent's works (1887, 1888) on the Chaffey's; D. J. Gordon's *Nile of Australia* (1906) and *Conquering the Desert* (1907); and scattered articles by Elwood Mead. E. F. Pittman (1914) is the standard for artesian waters.

For the Murray, see R. T. McKay's *Murray River Irrigation and Navigation* (1903); S. Murray's report (1910); H. H. Dare's *River Murray Water Scheme* (1919—plans); and C. T. Stephenson and others' *Harnessing Australia's Greatest River* (1920—special number of *Australian Mining Standard*—plans).

## CHAPTER 30.—THE NORTHERN TERRITORY.

### MANUSCRIPTS.

The primary source is the collection of papers handed over to the Commonwealth by South Australia in 1911 and at present lodged in the Home and Territories Dept., Melbourne. Examined through the courtesy of the Minister for External Affairs, this series consists of—

- (1) Incoming correspondence, 1868-1911—most valuable, especially up to 1880.
- (2) Outgoing despatches and various letter books.

Especially useful in this new material are—

- (a) The Resident's despatches and comments (apart from the later printed reports).
- (b) Schemes for settlement by outside experts.
- (c) Comments of the Commissioner of Crown Lands and the Surv.-General on the official files (at the time, not meant for outside perusal, and thus enabling one to reconstruct the motive forces behind the declarations of policy).
- (d) Grievances of settlers.

For other matters, see—

I.—For first three settlements, H.R.A., series 3, vols. 5-6; works of G. W. Earl (1836, 1846, 1883); sections in Jnl. of Royal Geog. Soc., 1834, 1839; *Quarterly Review*, June, 1841; Royal Geog. Soc., South Australia, 1914-15; reports of C.L. and E.C., 1842-7; and Accounts and Papers, 1843.

II.—For exploration, see B. Threadgill's *South Australian Land Exploration* (1922), ch. 3-5, and maps; and accounts by Leichhardt (1847—cp. MSS. in Mitchell Lib.); A. C. Gregory (1855-7; 1858; South Australian Paper 170 of 1861; MSS. journals of members of expeditions, in Mitchell Lib.); J. McD. Stuart (1863; journals in MS. in archives of Adelaide Public Library); and McKinlay (1867; South Australian Papers 1865-7).

III.—For occupation, see—

### OFFICIAL.

South Australian Parly. Papers, 1863-79; Resident's reports, annual in South Australian Papers and bi-monthly in Northern Territory

MSS.; Report of 1895 Commission (Paper 19 of 1895, South Australia). Cp. papers 62 of 1902 (area stocked) and 49 of 1905 (account).

For transfer to Commonwealth, see South Australian Papers 27 of 1901, 19 and 60 of 1906 (also Cwth. 49 and 92 of 1906), and, for operations since then, see Annual reports, 1911, on *Report on operations since transfer to Cwth.* (1913); official bulletins of the Northern Territory; and Cwth. Papers 39 of 1911 (Campbell's report on agriculture—a good history); 53 of 1912 (ordinance); 30 of 1914 and 21 of 1917, 2nd sess. (Glynn's outline of future policy).

#### SECONDARY.

The file of the *Northern Territory Times* gives useful facts, while the *Northern Territory Almanac*, especially for 1886, is useful for the operation of the land laws.

General accounts are in South Australian Govt. publication, *Northern Territory* (1863—documents); J. Woods (1864); E. Oppin (1864); Douglas (1871—official); A. Sergison (1878—pastoral capabilities); J. G. Knight (1880); W. J. Lowden (1882); and S. Newland (1902).

Articles in Proc. of Royal Col. Inst., 1882 (Harry); London *National Review* (1884—Parsons); Jnl. of Royal Geog. Soc., South Australia, 1901-2 (Parsons), and a booklet by J. L. Parsons in 1907 are useful.

This is a virgin field, however, and little of the secondary material is useful, the Territory suffering, here as elsewhere, by neglect.

#### CHAPTER 31.—THE PRESENT TRENDS AND THE FUTURE.

##### (1) *Railways.*

See annual reports in each State and articles in *Revue économique internationale* (Cammaerts), 1906, and *Bulletin of the Geog. Soc. of Marseilles* (Bourge), 1904. The map in the Cwth. Year Book best sums up the position, while G. Taylor's comments in *The Australian Environment* (1918) criticise existing plans. See footnotes.

##### (2) *Rural Credit.*

Pamphlet by R. Torrens (1858); reports of the Agric. Bank (annual) in Western Australia, Tasmania and South Australia to date, and reports in other States on Advances to Settlers; modern summaries are in G. Taylor's brochure on the Western Australian Bank (1921), and in the reports of the New South Wales Committee on the Agricultural Industry, 1920-22.

##### (3) *Land Taxation.*

Annual reports in separate States and of the Federal Commissioner of Land Taxation, 1910-11 on; Brit. Parly. Papers, 1906, v. lxxvii., and 1908, v. lxxiii. (for operation of flat rate); and articles in London *Economist*, 1910-11 (hostile), and the single tax publications (*The Pioneer*, 1890-1; *The Beacon*, 1893-99; *The Single Tax*, 1897-8, and *Progress*, 1910 on). The constitutional aspect is treated in Aust. Law Reports (*Osborne v. Cwth.*), v. 12, 1910-11, p. 321; and the provisions are explained in N. B. Rydges handbook, 1922. No adequate investigation into the operation of either the State or the Federal Acts has been made, nor has the plan recently mooted by New South Wales been sufficiently examined.

##### (4) *Soldier Settlement.*

Debates, conferences, commissions of inquiry, referred to in footnotes. Annual reports of Dept. of Repatriation (especially booklet of 1919) and summary by E. Mead, 1918.

##### (5) *State Marketing.*

Debates and newspapers. State reports on wheat marketing (New South Wales Commission of 1921). Sections in report on Agric. Industry, New South Wales (2nd interim report); Cwth. Year Book; *Round Table*, December, 1920, and September, 1921. For the general aspect, see booklet (1918) on *The Australian Wheat Pooling Scheme*. For wool, see reports of Central Wool Committee, *Purchase of Wool Clip by the Imperial Govt.* (Cwth. Govt.), article in Quarterly Mag. of Pastoralists' Federation, September, 1920, and the three reports of the British Australasian Wool Realisation Association.

##### (6) *The Future (in addition to footnotes).*

###### (a) *Position of Agriculture.*

###### *General.*

Report of Scottish Agric. Commission, 1911; H. Gullett's *The*



*Opportunity in Australia* (1914—balanced account); the reports of the New South Wales Committee on the Agric. Industry—really of general importance; Royal Agric. Soc., Annuals (Aust.), especially 1915; W. C. Grasby's *Australian Agriculture* (1912); Windham Report on British Overseas Settlement (124 pp., 1924).

#### Victoria.

Cherry's *Victorian Agriculture* (1913—valuable description of central districts); articles in *Leader* (1897); Jnl. and Proc. of Royal Soc. of Western Australia, 1919-20; Handbook to Victoria, 1914, pp. 269-309.

#### New South Wales.

Articles in *Agric. Gazette*, 1901 (Campbell on history; 113 pp.; 1909-12, *passim*, on new districts; Reports of New South Wales Chamber of Agric., 1908 on; Jnl. of Agric. Soc. of New South Wales, 1877 on; books by W. Cherry (1909), Coghlan (1900) and H. Anderson (1906) on agriculture in this State.

#### South Australia.

Articles in *Jnl. of Agric. and Industry*, 1901; 1914 handbook of South Australia; and W. Summers' *Notes on Agric. in South Australia* (1908).

### (b) The Position of Grazing.

Here the literature is voluminous. Raw material is in the reports of the various Graziers' Associations and in journals such as *The Pastoralist* (Sydney), 1889-91, and the *Sydney Wool and Stock Journal*, 1899 on. Standard authorities are H. B. Smith's *Sheep and Wool Industry of Australia* (1914) and A. Hawkesworth's *Australian Sheep and Wool* (1906). A publication of the U.S. Statistics Bureau (1892) on Australian sheep is exhaustive, while the statistics published regularly by the Bradford Chamber of Commerce allow a comparative study.

Valuable articles are in *La Géographie* (Paris, 1908—Privat-Deschanel); the 1914 handbooks on Australia and South Australia; the New South Wales Year Book, 1904-5 (a special analysis); Jnl. of Royal Society of Arts, v. 61, 1913, by Bean; *Deutsche Rundschau für Geographie und Statistik* (1910—Wiese); and in a French Government publication, *Guide de l'éleveur: élevage du mouton, Australie et Algérie* (1893—excellent chapters, commencing pp. 1, 53).

Various aspects are touched in C. E. Bean's works, especially *On the Wool Track* (1916); series in *Australian Country Life*, May, 1906-September, 1907 (history of wool trade); Nichols in *Sydney Daily Telegraph*, 1913-4.

### (c) Tropical Crops.

For the position of cotton, see—

- (1) For early efforts, *South Australian Magazine*, 1841-2, p. 118; W. Brookes' *Cotton and Queensland* (1860); W. Gardiner (1850—on New South Wales).
- (2) For efforts to revive, see articles in *Vict. Geog. Soc.*, 1903-4, 1911; *Ag. Gazette of New South Wales* (1899, 1908, 1920, 1923) and *Western Australia* (1904-6); *Science and Industry*, July, October, 1919. A valuable analysis is in the minutes of the Dominions Royal Commission, 1914 (Brit.).
- (3) For the outlook, see works (solely on cotton) by A. J. Boyd (1920), H. Quodling (1922) and N. D. Healy (1923).





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